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OVERSIGHT OF THE ANTI-DRUG ABUSE ACT OF 1986 AND THE FEDERAL DRUG STRATEGY

HEARING

BEFORE THE

SELECT COMMITTEE ON NARCOTICS ABUSE AND CONTROL HOUSE OF REPRESENTATIVES

ONE HUNDREDTH CONGRESS

FIRST SESSION

DECEMBER 8, 1987

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(100th Congress)

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OVERSIGHT OF THE ANTI-DRUG ABUSE ACT OF 1986 AND THE FEDERAL DRUG STRATEGY

TUESDAY, DECEMBER 8, 1987

House of Representatives,
Select Committee on Narcotics Abuse and Control,
Washington, DC.

The select committee met, pursuant to call, at 10 a.m., in room 2257, Rayburn House Office Building, Hon. Charles B. Rangel (chairman of the select committee) presiding.

Present: Chairman Charles B. Rangel, Representatives James A. Scheuer, Frank J. Guarini, William J. Hughes, Benjamin A. Gilman, Lawrence Coughlin, and Michael G. Oxley.

Staff present: Edward H. Jurith, staff director; Elliott A. Brown, minority staff director; George R. Gilbert, staff counsel; Michael J. Kelley, staff counsel; Barbara A. Stolz, professional staff; James W. Lawrence, minority professional staff; and Bob Weiner, press officer.

Mr. Rangel. I apologize for the delay. The hearing of the Select Committee on Narcotics will now open.

I have just been advised my dear friend and colleague, Benjamin Gilman, is at the White House and will be delayed. His opening statement will be inserted at this point.

[Mr. Gilman's opening statement appears on p. 63.]

Mr. Rangel. Sometime last week the committee members announced a hearing indicating that we had invited the Cabinet members to share with us the impact on the antinarcotics abuse bill that we passed in 1986. It was our thinking the administration would be in a position to tell us whether or not we had any new policies, new programs, whether we had enough money, too much money, whether the legislation made any sense at all, and we were really looking forward to that, and we put out an announcement indicating our intention to meet with the various Secretaries and members of the Cabinet.

The Attorney General, however, responded and indicated that at this time he would like for us to hear from the members of the Drug Policy Board, and to that extent the committee is pleased because, in addition to reviewing where we are in terms of purity and amendments and tonnage of drugs, what is going to be important is, one, the new strategy that is being developed or—strike out new and say improved—and also to determine just what impact, if any, the legislation that we have passed has had on the responsibilities of the Policy Board.

Before I recognize Mr. Scheuer, I want to thank the Special Assistant to the President, Dr. Macdonald, for appearing. I assure you that it is not the intention of this chair to make any inquiries that would violate the very special relationship that you enjoy with the President of the United States, and I do hope that on behalf of the committee, the Congress and the American people, when next you see the President you will be able to share with him how proud we are for the manner in which he has represented our great Nation with the Soviets and our hopes that this treaty will continue to improve the disarmament and bring peace to the world. I hope you will share that with him.

[Mr. Rangel's prepared statement appears on p. 59.]

Mr. **Rangel**. Mr. Scheuer.

Mr. **Scheuer**. Thank you, Mr. Chairman. I will be very brief. I know we want to get on to the witnesses.

I want to thank you all for having come here today together. This is a remarkable assemblage of leadership at the Federal level, and I am grateful for that. My remarks are particularly directed toward Dr. Macdonald of Health and Human Services and Mr. Lennox of the Department of Education, because I consider you and your agencies the stars here today and all of the law enforcement agencies are supporting payments. I have been active in fighting drugs with Charlie since the beginning of time, over 20 years ago, and I have been active in law enforcement. I supported eradication programs in Turkey 15 years ago and crop substitution programs, and I have supported a much more intensive effort at interdiction of drugs at our borders.

But the fact is that there hasn't been 1 year in the last 15 years that the law enforcement authorities have stopped at our border more than 10 or 15 percent or at the most 20 percent of the drugs that have come through into our country, into our villages, towns, and hamlets and into the arms and bodies of our young people. Law enforcement for a lot of reasons hasn't worked very well. It adds a little bit of risk to the enterprise of bringing drugs into our country and adds to the cost somewhat, but apart from adding somewhat to the cost so that the drug dealers, the large international narcotic groups, they just have to shove another 20 percent in the pipeline knowing that there will be a little bit of attrition through law enforcement.

But the drugs are getting in, and we have only in the last year or two been advised by our top law enforcement officials at the Federal, State, and local level that while we must maintain our law enforcement effort, we cannot abate our efforts, we cannot relax while we must maintain these efforts, the answer cannot come by interdicting supply into our country. The only answer for America, we are told now by law enforcement officials, is turning off the demand.

That means making kids want to say no to drugs. It doesn't mean telling the Congress no to funding for drug education and prevention programs. Those are two different noes. The first is acceptable; the second is not acceptable. So I am looking especially to you, Dr. Macdonald, and especially to you, Mr. Lennox, for some hope that there is going to be a major focus on drug education, on drug prevention, on drug treatment to deal with the client population, to cure them, to get them off the habit and above all to teach the new generation of kids coming along that drugs are a destroyer of education prospects, of school prospects, of marriage prospects, of life prospects and that they frequently threaten life itself and destroy life itself, and this is a poisonous element that they have to say no to, and we have got to learn to say yes to all of the programs that will teach the kids to say no to drugs.

Thank you.

[Mr. Scheuer's prepared statement appears on p. 67.]

Mr. RANGEL. Well said.

Mr. Oxley.

Mr. OXLEY. Very briefly. Thank you, Mr. Chairman.

I would like to welcome all of the members of our panel. We do appreciate your coming back today on relatively short notice.

There have been some positive signs out there, particularly relating to interdiction, and those of you who are involved should be commended for that. It appears that the efforts by the people who wish to penetrate our country with drugs become more and more sophisticated, and as a result our efforts have had to become more sophisticated. I understand that takes money and takes expertise, but at least the first signs appear to be quite good that you are making some efforts in that regard.

I was somewhat concerned, Mr. Chairman, about an article that appeared in the Post in the last couple of days regarding at least the potential for change in policy as it related to airplanes and their ability to deliver drugs and some effort, at least some discussion, about whether we should shoot down those airplanes. I, frankly, had some real concerns about that, and it is something I want to get into a little later in the questioning period. But it can wait until that particular time comes.

But, again, I think you can sense the frustration that our committee members feel, I am sure all of you feel that way because you are all on the front lines, and in many cases I think we find ourselves perhaps as the Monday morning quarterbacks looking over your shoulders and trying to second-guess you, and I think that perhaps that is unfortunate, but I guess it goes with the territory.

And so what we are trying to do is find out how you can do your jobs better with admittedly somewhat limited resources, but I do commend all of you for the effort that you have done and look forward to this morning's hearing on some very important topics.

I yield back the balance of my time.

Mr. RANGEL. Thank you, Mr. Oxley. On this important matter, I hope that the Chair, as well as the members, will be able to restrain from asking questions until we have an opportunity to listen to the entire Board. We have received the testimony of, in writing, of the entire panel, and as I pointed out, what we are primarily concerned about is an overview of the bill that we passed and the impact that it is having on whether or not you believe it is just too early to judge whether or not there is any impact or whether we should have had the bill at all. That is what we asked for initially, and we just accepted the kind response from the Attorney General to have the Board here.

But I assume it is the same thing, whether we are dealing with the strategy, whether we are dealing with the legislation, we don't want to restrict your testimony. And so we will start with Assistant Secretary of the Treasury Frank Keating, who is the Acting Chairman of the Drug Law Enforcement Coordinating Group, National Drug Policy Board, and hope that you congratulate your predecessor, Stephen Trott, who I understand will now be sitting on a Federal bench in California; and so the association with this committee has helped a lot of administration people and we wish all of you success with your careers as well as your testimony. Mr. Chairman.

TESTIMONY OF FRANCIS A. KEATING, II, ASSISTANT SECRETARY OF THE TREASURY (ENFORCEMENT), ACTING CHAIRMAN, DRUG LAW ENFORCEMENT COORDINATING GROUP, NATIONAL DRUG POLICY BOARD

Mr. KEATING. Thank you, Mr. Chairman. I know Mr. Trott will miss you. I assume he will be very happy as a judge, but he will miss you.

Mr. Chairman, if it is agreeable, I have a formal statement that I have provided the Chair, and I would ask that it be made a part of the record. What I would like to do is give you a very brief overview of how we are organized now to respond to this crisis both on the demand side, as well as on the supply side, and then be in a position to yield for questions.

By way of background, Mr. Chairman, the National Drug Policy Board was created by Presidential Executive order on March 26, 1987. It oversees all Federal drug control efforts. The Policy Board enhances the activities of the old National Drug Enforcement Policy Board to include efforts to reduce the demand for drugs in the United States, as well as those to reduce their supply.

As you know, the National Drug Enforcement Policy Board was created by the National Narcotics Act of 1984 which took effect on January 25, 1985. This high-level Board of the Federal Government was charged with the development and coordination of U.S. policy and strategy with respect to drug law enforcement efforts. Prior to March 26, 1987, policy development on the demand side of our antidrug effort was lodged in the Domestic Policy Council, also chaired by the Attorney General and assisted by the White House Office of Drug Abuse Policy, which is still in existence and which, as you know, is the domain of Dr. Macdonald.

The new Board serves as the Cabinet-level forum for significant policy decisions, interagency coordination, and information exchange within the drug law enforcement community, as well as the drug prevention and health communities. The Board, which meets monthly in the White House, is chaired by the Attorney General and vice chaired by Dr. Otis Bowen, Secretary of the Department of Health and Human Services. Other members of that Board include the Secretaries of State, Defense, my boss, Secretary of the Treasury, Transportation, Education, Energy, Commerce, Labor, Housing and Urban Development, Interior, and Agriculture, the Directors of Central Intelligence and the Office of Management and Budget and representatives from both the President's Office, as well as the Vice President.

Within the new policy structure, there are two coordinating groups, each comprised of Department Assistant Secretaries, heads of agencies and other senior officials from the organizations represented on the Board. I am the Acting Chairman of the Drug Enforcement Coordinating Group. In addition, a Drug Prevention and Health Coordinating Group has been established, chaired by Dr. Macdonald, Director of the White House Office of Drug Abuse.

Lead agencies are designated for a specific function or area. They develop and coordinate plans and are responsible for their implementation once approved by the Coordinating Groups and the Board. The Drug Enforcement Coordinating Group is responsible for coordinating Federal activities and initiatives to reduce the supply of elicit drugs.

Mr. Chairman, if you and the members of the committee would note to the right, I am not sure if that board is faced the right way, but the National Drug Policy Board, as constituted, is described or is set forth on the face of this particular chart with, of course, the Attorney General as the Chairman, the Vice Chairman, Secretary Bowen on the left is the group which I presently am Acting Chairman of the Coordinating Group for Drug Enforcement. We deal with the demand or—excuse me—the supply side issues, the drug law enforcement issues.

We have created in May standing committees to address each of the five challenges that we have as a Federal law enforcement community: Interdiction, which seeks to stop or to stem the supply of drugs which come into the United States, a very important committee when you consider that of the drugs consumed by Americans, 100 percent of the cocaine comes from abroad, 100 percent of the heroin comes from abroad and 80 percent of the marijuana consumed by Americans comes from abroad, so that interdiction component is tremendously significant. The Chairman of that is Commissioner von Raab, Commissioner of the Customs Service. It is vice chaired by Adm. Paul Yost, the Commandant of the Coast Guard.

Investigations, which is responsible for the coordination of the Federal investigative mission, including, of course, investigations by the Customs Service, by the Border Patrol where appropriate, by DEA and FBI, is chaired by Jack Lawn, who is with us this morning.

Prosecutions, which seeks to make sure the prosecution resources follow the investigative need, that is that the prosecutors are available to prosecute those individuals who are responsible for drug trafficking at the right place at the right time. That committee is chaired by the Justice Department and Assistant Attorney General Bill Weld.

Intelligence, which we think is extremely significant, especially so because that is an area where we need to bring together—and have in the last few months more so than ever before—the various intelligence components of the Federal Government, both in the intelligence community, as well as in the law enforcement community to address the need to get intelligence in advance in order to make our interdiction and investigations missions successful. That committee is chaired by DEA, the Administrator, Jack Lawn, who I indicated is here with us.

The international component is extremely significant obviously to assure——

Mr. **Rangel**. Jack Lawn is chairman of two standing committees, investigations and what other?

Mr. **Keating**. And intelligence as well.

The last of the five committees is the International Committee, which presently is chaired by the State Department, Ann Wrobleski, the Assistant Secretary for International Narcotics Matters. Her deputy, Mark Dion, is here this morning. The purpose of that committee, Mr. Chairman, is to see to it we work as closely as we can with our allies in producing consuming in-transit countries to attempt to reduce the supply of drugs which unfortunately is flooding into the United States and which, as you have indicated, is in such crisis proportions and is such a critical problem in the United States.

We have two special committees of the Drug Policy Board, Enforcement Group, one in financial enforcement, which I chair. The purpose of that is to make crime pay, to bring together the elements of the investigative family as well as, of course, State and local government to assist us in stopping the money flow as it leaves the United States, whether it is money leaving America for the purpose of investment abroad, whether it is money which is invested in the United States as a result of illicit drug activities.

The second committee is the Southwest Border Committee, which I also chair. The purpose of that——

Mr. **Rangel**. Where are all these committees you are talking about now?

Mr. **Keating**. The five standing committees are on the left. We have two special——

Mr. **Rangel**. Where are they on the chart?

Mr. **Keating**. They are not listed there. One is financial enforcement, and the other is the Southwest Border, Operation Alliance. When the Drug Policy Board over a year ago viewed the Mexican threat, that is fully a third of the marijuana entering the United States was coming through Mexico, a third of the cocaine and a third of the heroin was being grown or transshipped through Mexico, we saw the need to apply a special operation on the southwest border which developed into Operation Alliance.

As a result of the first year of operation with the sharing of jurisdiction with DEA sharing title 21 drug investigating authority with the Customs Service, Customs Service shared customs authority with the Border Patrol, we have seen a 200-percent increase in the seizures of cocaine, heroin, and marijuana along the southwest border. What is significant there, Mr. Chairman, even without additional resources, we have seen the need to make the Federal family work closer together to share resources and to share assets. For example, a border patrol officer by law only able to look, for example, behind a hub cap or I should say into a trunk to see if there is an illegal alien, now with this new title 19 authority can look under a hub cap to see if there are drugs accompanying that automobile or that vehicle. This is the supply side.

We think it has worked extremely well. We have had tremendous success during the course of the last year with seizures and with prosecutions and convictions. Unfortunately, we have a long way to go, but we are making some progress.

And now, Mr. Chairman, if I could yield to Dr. Macdonald to complete explanation of the demand side structure of the Drug Policy Board.

Mr. RANGEL. Could you please tell me who is the chairman of the subcommittees or these other committees not listed, the Financial Enforcement and the Southwest Border?

Mr. KEATING. I am, Mr. Chairman.

[The statement of Francis A. Keating II appears on p. 71.]

Mr. RANGEL. Mr. Special Assistant to the President of the United States and leader of the free world, we are privileged to have your testimony today.

TESTIMONY OF DONALD IAN MACDONALD, M.D., ADMINISTRATOR, ALCOHOL, DRUG ABUSE AND MENTAL HEALTH ADMINISTRATION, DEPARTMENT OF HEALTH AND HUMAN SERVICES; CHAIRMAN, DRUG PREVENTION AND HEALTH COORDINATING GROUP, NATIONAL DRUG POLICY BOARD

Dr. MACDONALD. Thank you, Mr. Chairman, members of the committee.

I am delighted to be here, and would remind the committee that I am here in my role as the Chairman of the Coordinating Group on Drug Abuse Prevention and Health and I am also representing the Department of Health and Human Services in my role as Administrator of ADAMHA. I have a prepared statement that, with your permission, I would like to have entered in the record. I will not read it. I will make just a few opening remarks and follow through on some of the remarks Mr. Keating made.

Regarding the coordinating groups, we have four standing committees on the demand reduction side. Those are: The Committees on Treatment; High Risk Youth; Prevention, Education, and Mainstream Adults. The Treatment Committee is chaired by Charles Schuster, the Director of the National Institute on Drug Abuse. The High Risk Youth Committee is chaired by Verne Speirs, who is the Administrator of the Office of Juvenile Justice and Delinquency Prevention. The Committee on Prevention Education is chaired by William Lennox, who is at the table with us. Mr. Lennox represents Secretary Bennett of the Department of Education. The Committee on Mainstream Adults is chaired by Robert Windom, who is the Assistant Secretary for Health.

We are glad to report today. Most of what I say will be in response to the very excellent questions I was informed you would like to ask. A part of what I would like to do is talk about accountability and describe what is going on, that is, give you a status report. Unfortunately, a lot of what has happened is a result of the 1986 Anti-Drug Abuse Act, and is in process, so we can't currently give you numbers in terms of drug reduction programs, although those will eventually become available.

But it is clear to us, and we hope it is clear to you, when we are done, that the machinery is working at a better level than it has ever worked. Our current Board, if it had met a year ago, would have been called the National Drug Enforcement Policy Board. As of March of this year, it became the National Drug Policy Board, which put together a supply and demand in a much more cohesive way. When Steve Trott or Frank Keating hold their meetings on supply reduction, I attend; when I hold my meetings on demand reduction, they attend. So there is a high degree of coordination.

With those remarks, I will be pleased to answer any further questions.

[The statement of Donald Ian Macdonald, M.D., appears on p. 85.]

Mr. RANGEL. I have no objections, Mr. Chairman, if you would want to direct—I had next Mr. Lawn down. Is that consistent with the way you would want the presentation?

Mr. KEATING. Mr. Chairman, this is your hearing. However you wish to have it is fine with us. It would be perhaps better to go through the law enforcement group and the prevention and health group or vice versa so you get a consistent statement from each.

Mr. RANGEL. Very good. The Chair would like also to acknowledge the presence of Larry Coughlin, a senior member of this committee and outstanding advocate of drug control, as well as Bill Hughes, a member of the Judiciary Committee and chairman of the Crime Subcommittee of the Judiciary Committee.

Delegate Fauntroy has submitted a statement which we will insert at this point.

[Mr. Fauntroy's statement appears on p. 82.]

Mr. RANGEL. The committee will now hear from Jack Lawn.

TESTIMONY OF JOHN C. LAWN, ADMINISTRATOR, DRUG ENFORCEMENT ADMINISTRATION, DEPARTMENT OF JUSTICE

Mr. LAWN. Thank you, Mr. Chairman.

As Mr. Keating had indicated, I chair both the Intelligence Committee and the Enforcement Committee of the National Drug Policy Board. In enacting the strategy for enforcement, we utilized all of the enforcement agencies and put together what each agency does well in order to establish an enforcement strategy complementing each of the agencies and a strategy which would reduce, if not eliminate, any redundancy. That strategy is in place.

The strategy will address three areas. It will focus on the highest level of trafficker internationally. It will focus on the seizure of drugs, and that includes not only the drugs to which Mr. Keating referred, that is the cocaine, marijuana, and heroin coming into the country, but the problem that we have internally. We are a drug source country, and that is a problem of which too few of our citizens are aware. The fact that there are chemicals manufactured within the United States that go to clandestine laboratories in the United States to manufacture drugs which are killing our citizens. At least half of the drug overdoses in this country, for which emergency treatment is being sought, are caused not by drugs that come from other source countries but drugs that come from the United States as a source country. Our enforcement strategy is addressing all of those concerns.

On the intelligence side, as was indicated, I chair the Intelligence Committee, which is based upon reorganization plan No. 2 of 1973, in which DEA was given the responsibility for international intelligence. It is supported further by Executive Order 12333, where the intelligence community was given authority to furnish information on international drug traffickers. It is imperative that that information go to a focal point so that it can be used.

As Mr. Keating and Dr. Macdonald mentioned, the coordination today is so effective that things are happening that heretofore would not have been accomplished. A recent case in point, which is an ongoing matter, but it was the seizure, the largest cocaine seizure in this country, the 8,000 pounds of cocaine that was seized in Florida, that was a result of this new coordination. That seizure would not have taken place 6 months ago. It was based upon our abilities to coordinate, to share information and to expeditiously disseminate that information to the agencies involved.

So, in summary, the new strategy is working and is proving effective.

Mr. RANGEL. Mr. Scheuer has a statement to make.

Mr. SCHEUER. Mr. Lawn, you say the new strategy is working, and this is symptomatic of an occasional success, we pick up a drug shipment, and the law enforcement people claim, legitimately, they have done something constructive, but you just said the new strategy is working.

Mr. Lawn, I am here to tell you that it isn't working. Unless you can show this committee that the total enforcement effort has resulted in a marked diminution of the drug supplies in our cities, towns, and villages, then law enforcement isn't working, and I don't say that critically of the law enforcement groups. It is an extraordinarily difficult job, and what I say is it can't work; 15 years or 20 years of experience have proven to us that it can't work, and unless we can turn off the demand, we are going to continue with this awful plight on our civilization.

But I don't, I say with all praise you have done a wonderful job, to the maximum of your abilities, I am not saying there is anything less than full effort. But until you can show, until the evidence is there that drugs are not available in our communities and, therefore, the drug scourge is dying out or being sharply reduced, please don't take credit for having a program, an enforcement program that is working.

Mr. RANGEL. The Chair would like to remind the members that I would hope we could hear from the entire panel, then we will go through the members and ask them, too, to be restricted to the 5-minute rule, and then we will rotate so that as many members that are interested in making further inquiries based on the schedule of the panel, that we will have ample time, but the Chair has received criticism for myself, Mr. Gilman and others in the past, that we never really got a chance to listen to all of the panel members because of the members questioning.

Let's hear now from Mr. Dion from the State Department. Secretary Dion.

TESTIMONY OF MARK DION, DEPUTY ASSISTANT SECRETARY, BUREAU OF INTERNATIONAL NARCOTICS MATTERS, DEPARTMENT OF STATE

Mr. DION. Thank you very much, Mr. Chairman.

The Department of State welcomes this opportunity to participate with the National Drug Policy Board's panel in your review of the implementation of the Anti-Drug Abuse Act of 1986. The Department of State is represented in the National Drug Policy Board. Secretary Shultz or his Deputy, Mr. Whitehead, attends Board meetings. The State Department is a lead agency for international issues, and the State Department chairs the International Standing Committee.

Public Law 99-570 marks a major change in our methods of appraising the narcotics control performances of major source and transit countries. Indeed, it represents a major change in the way we allocate economic and military assistance to these countries.

As you know, the Department of State, with the concurrence of other agencies, has provided to Congress an annual international narcotics control strategy report. The Anti-Drug Abuse Act of 1986 requires that we identify those countries which meet the definition of major producer or major transit country, that the President certify whether each is fully cooperating with the United States on narcotics control, and that the administration withhold 50 percent of the economic and military assistance scheduled for each country from October 1 until March 1 when the Presidential certifications are submitted.

Two options for certification are provided. The President may give a national interest certification, or the President may deny certification. Congress may accept or reject these certifications. If certification is denied, a country loses the 50-percent balance of U.S. assistance and future assistance will be denied until that country has been fully certified.

The certification process has figured prominently in our discussions with a number of countries on narcotics control and eradication, on cooperation in money laundering investigations and other enforcement issues. This year our performance expectations are higher, as you will see when the INSCR and accompanying certifications are submitted on March 1, 1988.

Thank you, Mr. Chairman.

[The statement of Jerrold Mark Dion appears on p. 113.]

Mr. KEATING. Mr. Chairman, if it is agreeable, Mr. Lane could make his statement as a part of the law enforcement investigation.

Mr. RANGEL. That would make a lot of sense. Mr. Lane, you are recognized.

TESTIMONY OF MICHAEL H. LANE, DEPUTY COMMISSIONER, U.S. CUSTOMS, DEPARTMENT OF THE TREASURY

Mr. LANE. Thank you, Mr. Chairman.

It is a pleasure for me to appear today to discuss actions the U.S. Customs Service has taken pursuant to the enactment of the 1986 drug bill. The Omnibus Drug Supplemental Appropriations Act of 1987 provided Customs with an additional $44 million in salaries and expenses funding and additional 93 million for the Customs

Air Program. These funds, combined with the 1987 funding levels, have allowed Customs to improve its antidrug effort. Customs has used this funding to increase manpower to the highest level ever, over 15,000 employees.

Personnel have been placed in the areas of the country where the drug threat continues and over 1,000 have been placed along the southwest border where problems are increasing. We have increased our marine interdiction activities by deploying more boats and in utilizing more sophisticated radar, as well as utilizing air surveillance to support marine activities. The air interdiction effort received considerable resources in the drug bill. These resources have provided additional tractor interceptor aircraft to E2C Hawkeye aircraft, five aerostat balloons, which will be deployed along the southwest border by the end of 1989, and operations funding which permits Customs to operate more aircraft for more hours every day.

Customs has also used funding in the drug bill, combined with regular appropriations, to provide further resources, such as radios and access the Customs facilities to State and local authorities, as well as other Federal agencies. This effort provides for better communication and cooperation.

The Customs Service has responded to the Drug Act by moving quickly to incorporate manpower and resources in its drug fighting effort.

We will be happy to answer questions on our accountability for the 1986 Drug Act later on in the hearing.

Mr. **Rangel**. We will go to the Coast Guard. Rear Adm. Clyde E. Robbins is the Chief of Office of Operations.

TESTIMONY OF REAR ADM. CLYDE E. ROBBINS, CHIEF, OFFICE OF OPERATIONS, U.S. COAST GUARD, DEPARTMENT OF TRANSPORTATION, ACCOMPANIED BY MELISSA ALLEN, DEPUTY ASSISTANT SECRETARY FOR ADMINISTRATION, DEPARTMENT OF TRANSPORTATION, AND CAPT. KENT WILLIAMS, CHIEF, PROGRAMS DIVISION, DEPARTMENT OF TRANSPORTATION

Admiral **Robbins**. Good morning, Mr. Chairman, members of the committee. It is a pleasure to appear before you today to address the Coast Guard's drug interdiction operations and the enhancements provided by the Anti-Drug Abuse Act of 1986. I have with me in the rear, Ms. Melissa Allen, Deputy Assistant Secretary for Administration from the Department of Transportation and Capt. Kent Williams, who is the chief of the programs division.

Ms. Allen and I both have a statement that we would like, with your permission, to be entered into the record, and I will summarize briefly.

Mr. **Rangel**. Without objection, Admiral.

Admiral **Robbins**. The act, in addition to providing authorization to the Coast Guard to expand its interdiction efforts, made important changes in the law to remove some Mansfield restrictions and to make prosecution of smugglers easier. As you know, the Omnibus Drug Bill Supplemental Appropriations Act of 1986 subsequently provided funding for additional aircraft, personnel training and equipment.

In the Bahamas we have purchased a travel lift for Coral Harbor on New Providence Island and selected a site and determined the requirements for a forward operating base on Great Exuma Island. We are now flying helicopters from Nassau in support of the operations in the Bahamas and Turks and Caicos, and we will open another helicopter response location by October 1, 1988.

I hope we will be able to do that somewhat sooner. Improved security communications in the Bahamas and the removal of the Mansfield amendment restrictions for consenting nations will allow us to operate more effectively in those waters. Secure communications in all frequency ranges are being procured to provide coordination between command centers, aircraft and cutters.

Communication upgrades will allow increased frequency range, clarity and security in the Caribbean region, which is noted for its poor communication conditions. Since last February, the Coast Guard has been operating two E–2C's it received from the Navy. We are also converting eight of our HU–25's into fully defense interceptors. The first two will be completed in April.

We are cooperating with Customs to establish a C3I center near Miami to coordinate air interdiction, tracking, and apprehension missions; $38 million was spent to procure two C–130 aircraft, which will be delivered in the summer of 1989. Five new 110-foot patrol boats have also been purchased which will give us a total of 37 of those valuable interdiction boats.

In summary, we have used the resources from the Anti-Drug Abuse Act wisely to strengthen our interdiction efforts. As these resources become operational we will be more effective over and in the maritime area. Thank you, Mr. Chairman. I am ready to answer any questions.

[The statement of Admiral Robbins appears on p. 118.]

Mr. RANGEL. My friend, General Olmstead from the Defense perspective on drug enforcement.

TESTIMONY OF LT. GEN. STEPHEN G. OLMSTEAD, DEPUTY ASSISTANT SECRETARY FOR DRUG POLICY AND ENFORCEMENT/ DIRECTOR OF DEPARTMENT OF DEFENSE TASK FORCE ON DRUG ENFORCEMENT

General OLMSTEAD. Thank you. It is always a pleasure to be back before your committee. The Department of Defense defines their role in different ways. First, the Department believes it must eliminate drugs from within its own ranks—both military and civilian.

We are doing this through our drug testing and our education programs. We also believe we must end drug abuse in our Department of Defense schools. We are doing this through our antidrug abuse programs and the DARE Program, which I know the chairman is familiar with and finally we believe we have a role in providing assistance to the civilian law enforcement agencies to interdict and to eradicate drugs at their source.

We have accomplished this mission by providing training, hardware, and facilities. In this regard we do not believe the laws governing the role of the Department of Defense should be changed at this time. The Department of Defense can best assist in the war on drugs by providing support such as mandated by the Congress in the Anti-Drug Abuse Act of last year.

I am happy to report to the chairman that the Department of Defense is in compliance with that act. I would look forward to any questions the chairman would have.

[The statement of General Olmstead appears on p. 124.]

Mr. RANGEL. Thank you, gentlemen. We will now hear from the Special Assistant to the Secretary of Education, William Lennox.

TESTIMONY OF WILLIAM LENNOX, DRUG ABUSE PREVENTION OVERSIGHT STAFF DIRECTOR, DEPARTMENT OF EDUCATION

Mr. LENNOX. Thank you, Mr. Chairman. I would like to summarize my statement.

Mr. RANGEL. Without objection.

Mr. LENNOX. Mr. Chairman and members of the committee, I am pleased to be here today to testify on behalf of the Department of Education's efforts to help eliminate drugs from our Nation's schools. Since the passage of the Drug Free Schools and Communities Act last year, the Department of Education has worked hard to implement the programs authorized in the law in a careful but expeditious manner.

Early in the process, we made our plans and time lines available to you and your staff and we have spoken with the committee staff regularly as we have proceeded with implementation. Overall, we accomplished our implementation objectives and time lines. Three months after passage of the law we began receiving applications for State funds.

In 4 months we were funding them. By spring, we had solicited applications for three new grant programs and published proposed regulations or guidance to implement those programs. The results of these efforts are evident. After 1 year, all programs are operating and $197 million of the $205 million that the Congress had targeted for prevention were obligated.

We expect that the remainder of the funds will be expended by the close of the calendar year. We are very proud of the Department's performance. Not only were funds made available quickly, but the Department also provided leadership, guidance, and information to the American public to assist them in establishing effective prevention programs. "What Works: Schools Without Drugs" was published in September 1986. The handbook outlines how schools, with the help of parents and communities can prevent student drug use.

Also, 2 months after passage of the law, the Department distributed guidance to Governors and State educational agencies on the State and local funds. A month later the Department held a conference for representatives of the Governors and State educational agencies to explain in detail the law and its implications.

We are now planning for a second conference with State representatives next spring to assess progress. Three months after passage of the law, the Secretary challenged all schools to develop comprehensive programs and it joined the challenge campaign, a campaign that mobilizes parent and community support for school programs.

Five months after passage of the law, the Department mailed the first of its bimonthly newsletters to every elementary and secondary school throughout the country, giving superintendents and principals information on model schools, summaries of recent research and other resources and techniques for helping in the war against drug abuse.

The Department is also working hard to identify effective programs and publicize them through the newsletter and through other means. In addition, the Department is examining curriculums and the research on curriculums to make recommendations to principals and superintendents across the country to assist them in placing curricula into effective comprehensive programs.

As we look to the future, the Department will continue its efforts and leadership in preventing drug use among the young. This is a problem that can only be solved at the local level by concerned and committed adults sending the same message by word and example: Drug use is wrong and harmful and it will not be tolerated.

The Department of Education will continue to provide information to assist through coordination and to encourage ongoing determined efforts. Thank you. I would be happy to answer any questions you might have.

[The statement of Mr. Lennox appears on p. 128.]

Mr. Rangel. Thank you, Secretary Lennox. This committee wants to thank the panel and the Drug Policy Board for your testimony.

Next year is an election year for us, and I can't tell you how happy I was to find out that we have been so successful with our drug control efforts. I have not been in my district in almost a week, so I had no idea that we had established this record that we are so proud of.

In any event, one of the reasons why we asked the Secretaries to come was so that they could tell us specifically the areas of their responsibilities and jurisdictions so that we would be able to go back to our districts and say with the same pride as you displayed at this panel, "This is what your Government has done and this is what we are proud of." And we hope that we will get to some of those specifics.

We had hoped that the Secretary of Health and Human Services would be telling us about the national rehabilitation programs that we are supporting in each part of the community so that nobody who wants care is denied it in any part of the United States. We had hoped that Secretary Shultz, notwithstanding the great job that he is doing, would have been able to respond throughout the United States. Friends and foes alike know that when we declare war that we mean you are cutting back production or you got to feel the impact of it, and that instead of bumper crops that we would hear as a part of this success story, there has been a reduction in cocaine or reduction in opium and heroin that would be coming into the United States.

Of course, we will hear from the military as to how you have supported Customs and we know the difficulty in protecting our borders and our skies and our seas against these intruders, and certainly the Coast Guard has more than met the challenge that has been given to them. With education, we really had hoped that we were going to go beyond that red book and that we would be able to find out how every school, private and public, can rely on our Government to take advantage of whatever expertise we have been able to develop.

Quite frankly, I don't know what we would have asked from Sam Pierce. Why is his name down here? Policy Board. We will think of something we would have expected to have heard from Secretary Pierce. But overall we had hoped from drug enforcement we would want to know what was this partnership between local and State law enforcement.

We would want to know whether you think it works, should we have put money in these programs. Is it a waste of money that we have, and when you talk about intelligence or you are dealing with the CIA and the State Department and not withstanding the valor and dedication of the men in the Drug Enforcement Administration what is your domestic and international strength up to now, 2,500?

Mr. LAWN. Close to 2,900 agents.

Mr. RANGEL. You have the whole world. Just who do you rely on to assist you in this responsibility? These questions in a more specific way will be asked of the Cabinet officers as we again hope that they would respond to the invitation of this committee to specifically give us what we need in order to legislate or not legislate, and we hope that each of you that respond to a Cabinet member might request of them to forward to this committee whatever statement on that specific they might send because if we are doing as well as this panel believes that we are doing, we may not really need the Secretary. So, we would ask them to forward that statement.

Chairman Keating, could you share with me on my question that after 7 years of developing a strategy which I assume this administration has worked on both from a domestic and the international area, why on the eve of the conclusion of this administration this Nation's drug policy—has the President approved this yet?

Mr. KEATING. Well, the creation of the Board, Mr. Chairman, was his. It was by Executive order so that has been approved.

Mr. RANGEL. What is it we are waiting for, the President's approval?

Mr. KEATING. The individual strategies which each of the lead agencies have presented to the Drug Policy Board, that would include policy changes, regulatory changes, recommendations to the Congress for statutory change as well as resource adjustments or enhancements. That has not been as yet approved by the President.

Mr. RANGEL. Could you share with me why the President and the Policy Board thought it was necessary to structure what you had for 7 years and how do you intend to implement that especially since the Attorney General had indicated he had wanted to report to the Congress on a quarterly basis, and I don't know how many quarters are left to this administration with the Democratic and Republic conventions hitting it right at the middle and before the November elections, but why did you see the necessity to create a new structure at this late stage of the administration's political life?

Mr. KEATING. Let me preface my answer, Mr. Chairman, by telling you what we looked at in 1981. I had been a State prosecutor as well as a Federal agent and I became U.S. attorney in my State in 1981. At that time there was very little, if any, cooperation and correspondence among and between Federal, State, and local law enforcement organizations.

When then Attorney General, William French Smith, looked at that lack of proper coordination and cooperation, he instructed all of the U.S. attorneys to create what we call law enforcement coordinating committees to bring together for the first time in many cases the law enforcement community from the State and local jurisdictions as well as the Federal agencies.

In my case a number of the Federal agents were introducing themselves to each other for the first time, which was remarkable as far as I was concerned in view of the fact many of these agents were investigating compatible statutes. After that, we created the South Florida Task Force. We made the LLLC's an institution.

In 1984, with the passage of the National Narcotics Act and the creation of the National Drug Enforcement Policy Board, we began, I think, in an unprecedented fashion, to mandate cooperation, to put aside turf battles and to insist that the U.S. Government agencies cooperate with each other to do a better job for the public.

When we saw the demand side was left out of this equation, it was over at the Domestic Policy Council the President concluded in March of this year it was important to bring the demand and the supply side together under the umbrella of the Attorney General as Chairman of the National Drug Policy Board.

Since then as, Jack Lawn has indicated, it has worked extremely well and we hope even at this late date the structure we will create will be followed, will be used by whomever it is that succeeds President Reagan as President of the United States, be it a Democrat or Republican.

Mr. RANGEL. And you share with the views of this panel that for the last 7 years our national drug policies have been tremendously successful?

Mr. KEATING. Well, Mr. Chairman, as long as the United States, the public of the United States, some 26 million Americans, want to destroy our civilization with drugs, as Congressman Scheuer said, there is no way we are going to be successful as a true law enforcement community——

Mr. RANGEL. I am not talking law enforcement.

Mr. KEATING. I am talking as far as the National Board is concerned. As far as what we are attempting to do on the national level, we have been more greatly successful than we have ever been before.

Is that as successful as we should be? No. Is it as successful as we want to be? No. But under the circumstances with the dollars provided, with the coordination and cooperation that we are enjoying, now we are doing a better job than we have ever done before. But as long as Americans want all that marijuana, all that heroin, all that cocaine and those synthetics, we are never going to be able to fully solve the problem.

Mr. RANGEL. Mr. Keating, I was talking to you as the Chairman of this Drug Policy Board, and I am certainly not talking about dollars because this administration and many of the Cabinet officers have resisted these dollars consistently, so we are not talking about resources because I have enough confidence in the President that he will request what is necessary to get the job done.

When I talk about success, and I say this for the rest of the panel, it does not mean that you are not proud of what you have been able to do, but I am talking now to the Board, and if there is anyone that disagrees we are talking about tonnage produced, the tonnage processed, the tonnage coming into the United States, and if you people in law enforcement want to talk about demand and you feel compelled to get out there in the school rooms and play basketball and to educate people to reduce the demand, then you can do that, too, but you have to include what national education program do we have.

Secretary Lennox, and we have to talk about what we are doing in drug prevention and rehabilitation. So we have seen every area politically speaking and from a social service area speaking, kids born with AIDS, kids born addicted to drugs, kids dropping out of school, pushing and using drugs, going to jail, AIDS festering in jail, kids being rejected by the military because of drug contact, increases in crime, increases in every problem in Democratic and Republican administrations.

And now even though we have not heard publicly from the Secretary of State as it relates to the supply side, we still hear that we are doing a great job. And I want specifics on that great job because we are the legislators that support it, the omnibus drug bill, and if we are doing such a great job and having such great successes, we have to know it before we stand for reelection.

It is not enough that you keep these secrets on the board. Dr. Macdonald, you are not running for anything, are you? I said reelection and you perked right up.

Yes, sir, that is my question, and if the Special Assistant to the President on these matters would like to respond in that capacity, even though you are definitely not required to, it would be enlightening for this panel.

Dr. **Macdonald**. We really are delighted with what this committee is doing. We are not here to declare victory. I think there is a sense of feeling——

Mr. **Rangel**. Victory never entered our mind, even a holding action would be——

Dr. **Macdonald**. Let me tell you, as long as there is one kid in the country today missing school because he is out having a joint, I am concerned. As long as there is one baby born impaired by drugs, I am concerned. Those are the bottom lines we care about. Have there been changes over the last 7 years? The answer is clearly, yes.

When I got into this business in the late seventies as a parent with kids involved, as a pediatrician with patients involved, I really wondered, "Is this war winnable? Is there some way this country can turn the corner?" And I think we are getting close to the corner. I will tell you some of the things that make me feel this way.

The awareness of the American people of this drug problem is considerably greater than it was. The media plays it up occasionally, sometimes greatly. If you are out speaking to high school groups about drugs, you can talk about cocaine as a dangerous drug. Kids know that.

Knowledge of drug abuse has clearly increased in all levels of society. Someone commented yesterday that when he spoke to young people about the effects of marijuana, he doesn't have to spend a lot of time telling kids it has an immediate deleterious effect. We have made progress.

Mr. **Rangel**. If we accept that, we really can declare a victory with AIDS because more people are aware of the problem of AIDS than ever before. There are more parents who say their kids are addicted to drugs than before.

Dr. **Macdonald**. We clearly believe that in the AIDS area education and knowledge is part of the battle and we believe that the behavior can change as people understand risks. We know that with a number of behaviors. It is not the whole answer. I would like to point to the attitudes of the country, which make me feel better about what is happening than perhaps any other measure.

When I became interested in this battle in the late seventies, there was an attitude in the country that kids were going to use that stuff anyway. There was an attitude of moderate use, responsible use. We had a whole different vocabulary then that reflected a feeling that drug use was sort of inevitable and it wasn't all that big a deal.

That has clearly changed. When asked about the Just Say No Program, the single best thing that that program does for me is to represent a society that is now taking a stand. We have the troops ready to fight. The troops are not just these people at the witness table. The troops are the people in Omaha and around the country who say, "We want to draw the line."

What will the action produce? It will produce a number of things and we will begin to see, I am sure, a difference in behavior. We have already seen it in a number of ways. Television behavior has changed. The networks don't joke about drugs anymore. Parents are more concerned about their kids and drugs. Those are some of the things we see. Also, there are other measures such as the high school senior survey. There are some good indicators.

Those indicators don't make me feel entirely good. I know people are going to die from drugs. It is not like it is over, but we have seen very positive change. Also, Jack Lawn would agree this is a war that has to be fought on the treatment end, and on the prevention end. The supply end and all those ends are important parts, but I now have a feeling the country is ready for prevention and treatment efforts that previously weren't evidenced.

So I am not declaring victory, but I am saying I see some very promising signs.

Mr. **Rangel**. Mr. Scheuer.

Mr. **Scheuer**. Thank you, Mr. Chairman.

Mr. Lennox, I take it this is the book you spoke of, "Schools Without Drugs."

Mr. **Lennox**. Yes, sir.

Mr. **Scheuer**. How many copies of this have you produced?

Mr. **Lennox**. 1.7 million.

Mr. **Scheuer**. Do you know how many teachers there are in this country? A good many million. Who does this go to?

Mr. **Lennox**. Every elementary, middle, and secondary school throughout the country as well as parents and others.

Mr. **Scheuer**. How many parents do we have in the school system?

Mr. **Lennox**. I don't have that number.

Mr. **Scheuer**. It is 40 million.

How far is this going to go? Do you have enough to send to every person involved in physical and health education?

Mr. **Lennox**. We are making them available wherever we can.

Mr. **Scheuer**. If it is designed for parents, and it looks like an excellent piece of literature, very well conceived, a plan of action, advice to parents, advice to students, but who are you giving it to? You are giving it to the school administrators and the school principals.

Mr. **Lennox**. Yes, sir. Those are the ones responsible.

Mr. **Scheuer**. We heard about the troops out there, the troops are all over the country who want to fight this. The troops are teachers and kids and parents.

Is 1½ million or 2 million designed to get to the teachers of the country and the parents of the country?

Mr. **Lennox**. Sir, we will put out as many as you need.

Mr. **Scheuer**. How about 40 or 50 million for starters so you have at least enough for the parents. Let me ask you about this piece of literature, "The Challenge," you spoke to us about it.

An excellent piece of literature. It has public relations words about various top people in the administration. I don't know how good an expenditure that is of taxpayers' money, but very soon on it gets down to business and it is excellent, very well conceived.

Say no to alcohol and drugs. A whole lot of tips for kids, building self-esteem, reasons for excellence, a new approach, alcohol, very good.

How alcohol affects youth. Then there is a very wonderful selection, tips for parents. Ten steps to help your preteen say no.

This is addressed to parents, right?

Mr. **Lennox**. Yes, sir.

Mr. **Scheuer**. It says how can I tell if my child is using drugs. That is addressed to parents. There are 40 million parents of elementary and secondary school kids in this country. How many of these do you get out?

Mr. **Lennox**. Sir, again, it is the elementary, middle, and high schools.

Mr. **Scheuer**. High schools don't read. Who do you send it to? High schools don't read, don't have kids and don't do drugs.

Mr. **Lennox**. To the principal and the superintendent.

Mr. **Scheuer**. This is addressed to parents. Ten steps to help your preteen say no. How can I tell if my child is using drugs? This is addressed to parents and it is an excellent job.

Mr. **Lennox**. Yes, sir. We are using the schools as a channel to get to the parents. We talk——

Mr. **Scheuer**. You send one of these to a school, how do you expect——

Mr. **Lennox**. We do that in the newsletter itself. In several copies, we tell principals to Xerox and get the word out to their people. And they are doing that.

We know the word is getting out. If you are asking me if that message has gotten out to everybody, no, it hasn't and we are fighting that as much as we can, to get that word, that idea of comprehensive programs down to parents, to principals and to anybody else who will listen.

Mr. SCHEUER. What I am saying is that you are going elephant hunting with a mice rifle. What I am saying is what my grandmother used to say to my mother when we kids were acting tough. She used to say he makes a fist in his pocket. My great grandmother came from Alsace-Lorraine and only spoke German, and that is what she used to say. "He makes a fist in his pocket."

My friend, Mr. Secretary, Secretary Lennox, you are making a fist in your pocket. When you produce an excellent piece of information like this and you don't have apparently any intention of getting it to the people who it is addressed to.

It is addressed, the meaningful part of this—and it is an excellent piece of work and I congratulate you—it is addressed to parents, it isn't addressed to the school principal or the superintendent, it is addressed to parents and it is a beautiful, fine, thoughtful piece of work.

Why haven't you gotten it out?

Mr. LENNOX. It is our intent to get the parents into the schools and we want to join those forces together so the message given by one is echoed by the other.

Mr. SCHEUER. You don't know anything about the parents of the kids at risk. It is very difficult to get them into the school. You have to mail it to them, you can't rely on everybody coming to you. You have to get it to where the need is.

Mr. LENNOX. We are seeing a number of principals bringing those parents in and I would recommend one, PS–73 in the Bronx, did an outstanding job of bringing them in.

Mr. SCHEUER. I don't say there aren't schools around the country that are doing an outstanding job, there are, but I am talking about tens of millions of kids here addicted in schools that so far haven't done an outstanding job.

What I am suggesting is you haven't given the schools and the kids and the teachers the wherewithal to do the job. This is a horrendous job of personal behavior change and you are going elephant hunting with a pea gun.

The budget of the Department of Education is about $17 or $18 billion. You reduced the allocation to drug education in our 1987 bill from $200 million to $100 million.

Do you know what percentage that is of the entire amount spent on education?

Mr. LENNOX. I believe it is irrelevant.

Mr. SCHEUER. It is not irrelevant at all, Mr. Lennox.

You are spending one-half, about one-half of 1 percent of your total education budget on drug education, and I am suggesting to you, Mr. Lennox, that the drugs more than any other single factor are wrecking the education prospects of American kids, and nullifying and vitiating the $17 billion that you are spending on education. And what I am suggesting is that when you are spending $17 billion and you have one massive problem that is crippling the education effort of the Federal Government, States, cities and you are spending one-half of 1 percent on that, you have got your priorities wrong and when you produce a beautiful piece of literature addressed to parents, in so many words addressed to parents, what can parents do, tips for parents, 10 steps to help your preteens say no, it doesn't say 10 steps for the school superintendent to tell his principals to tell his parents about it. It is addressed to parents.

How can I tell if my child is using drugs? It isn't addressed to the principal. How can you tell if the kids in your school are using drugs or how can you instruct parents to tell if their kids are using drugs? It is addressed to the parents in the Queen's English.

Why don't you pull in your belt a hitch, take a deep breath and fund an effort to get this wonderful piece of literature to every parent of a child at risk in America?

That is what you ought to be doing.

Mr. **Lennox**. Should I dare say, just as you said, it is tough to get those parents into the school.

Mr. **Scheuer**. You are not trying in a meaningful way.

Mr. **Lennox**. The principals are trying, many of them across the country. I dare say if that went into some of those households, it would be disregarded. We are working with the principals and one you have there——

Mr. **Scheuer**. You have several million teachers in this country.

Mr. **Lennox**. There is a parent's edition, the January edition, soon to be out, is the teacher's.

Mr. **Rangel**. You send to the committee or have the Secretary send to the committee what you believe our national drug education program is and I hope it goes beyond the periodics. Just send us the policy, what you have done and what you want to do and then we will hear from the Secretary. Mr. Oxley.

Mr. **Scheuer**. The 2½ million American teachers need help from you in working with their kids and 40 million American parents in elementary and secondary schools need help from you, they are not getting it, and it is pitiful.

Mr. **Oxley**. Thank you, Mr. Chairman.

Mr. Lennox, I am sure I don't have to remind you you represent the Department of Education, not the department of parents. We appreciate your appearance here today.

Gentlemen, as I had indicated in my opening remarks, the article that appeared in the Washington Post on December 7 where the headline says "U.S. weighs proposal to shoot down suspected drug smuggler planes," and I indicated in the opening remarks I did have some concerns about that.

Mr. Keating, do you know what the status of that particular proposal is, how that proposal may have come to be and what may be the final determination as to what policy we might entertain in regards to drug smuggling airplanes?

Mr. **Keating**. As you are well aware, as a result of the leadership of the Attorney General and this Congress, we are for the first time in a position to fund an interdiction umbrella, a national line, if you will, consisting of aerostat balloons, and PC-3 aircraft, as well as a command and control communications facility both in the San Diego area as well as in south Florida and a marine facility in Houston.

We requested of the Customs Service and the Coast Guard a listing of all of the regulatory policy, strategic, statutory changes that they felt no matter how bizarre some of those recommendations might be, were legitimate and worth to consider from the policy development standpoint as a response to the air drug smuggling threat and to permit us to more effectively utilize their assets and provide a better deterrent in response to that air smuggling threat.

The item which you are referring to is one of those recommendations. At this juncture, I am able to say to you that it is before the policy board. I would say as a result of the U.S. Supreme Court decision of Garner versus Tennessee, it will not be treated favorably.

Mr. OXLEY. Does anybody else on the panel have a comment in that regard?

OK. I just, you get a lot of free advice——

Mr. KEATING. If I may say this. You have to understand the reason sometimes recommendations like that do surface through the law enforcement community, we are very frustrated. Air smugglers coming into the United States are in some cases chased by our aircraft or our helicopters and they drop their load, they turn around and with impunity fly into a foreign jurisdiction or out of reach of the United States.

We signal them, we order them to land, but they don't. That frustration is the reason for recommendations like that. I think the recommendation was drafted, and it was not fully fleshed out.

There is some reason for consideration. The problem has been the Supreme Court decision reached makes it impossible to use deadly force although we can in the case of a fleeing boat, against aircraft—unless deadly force is used or threatened in a situation like a drug smuggler fleeing, but again that is one of many recommendations that has been considered by the Drug Policy Board and that is borne of frustration.

Mr. OXLEY. I understand that and I wanted to add my concern about that proposal because I am certainly not a shrinking violet when it comes to law enforcement and the efforts you all have to use sometimes. This may cross the line where we have real concern about pilots and innocent victims where you shoot down one of these planes and there is no way to get them back. I think it is a proposal that perhaps ought to be shelved and I guess your indication is that that is what happened. These kinds of things happen sometimes.

Sometimes these things get into the newspapers and even though you may be looking for all the potential abilities to deal with this situation, something like this pops up. I fully understand that. I just wanted to get that out and have an understanding about that.

Let me ask Mr. Lawn if he could help us with the status of the *Carlos Rivas Lehder* case down in Florida. I understand that is still progressing. Is that now in trial?

Mr. LAWN. Yes, sir, that is accurate. The case is progressing in Jacksonville, FL.

Mr. OXLEY. Do you have any idea how long that trial is expected to last?

Mr. LAWN. No, sir. I do know that the evidence is substantial, so I don't think it will be a short trial.

Mr. **Oxley**. What about the *Camarena* case? Can you bring us up to date on anything we don't know about that case and its progress or lack thereof in Mexico?

Mr. **Lawn**. Yes, sir; 2 weeks ago Congressman Gilman and I had the opportunity to have breakfast with the president of the Mexican Supreme Court. We raised this case. The president of the Mexican Supreme Court explained to us the judicial process on the charges against Caro Quintero and others in Mexico City. The charges have been brought by the Attorney General of Mexico against Caro Quintero and according to the Mexican judicial system, the written charges have been given to Caro Quintero and his attorneys and he has 1 day for every 50 pages of charges to respond to those charges.

The president of the Mexican Supreme Court anticipates that his response should be made sometime in early 1988.

Mr. **Oxley**. Is Quintero in custody?

Mr. **Lawn**. Yes, in Mexico City.

Mr. **Rangel**. We want to restrict the questions so everyone would have an opportunity to at least have one round.

Mr. **Oxley**. If I could have one more, sir. The status of the *Jorge Ochoa* case in Colombia as it relates to the recent Supreme Court decision down there involving the extradition treaty, could you bring us up to date on that?

Mr. **Lawn**. Yes, sir. The State Department and the Department of Justice are working closely with the Government of Colombia on a process whereby Ochoa can be extradited to the United States. The Government of Colombia has indicated that their extradition treaty of 1979 has been struck down. They are looking at other prior treaties wherein they may have the wherewithal to extradite him to the United States.

There was a prior treaty in 1933 and another in 1898. Personally, I am optimistic that we will have Mr. Ochoa extradited sometime in the future.

Mr. **Oxley**. Not only do the Colombian officials face some political pressures, as I understand it, down there, but obviously they face some physical danger as well. Is that a fair statement?

Mr. **Lawn**. Yes, sir, it is a most fair statement. The Government of Colombia has sustained major loss of life. A good personal friend of mine, who has met with many members of this committee in Colombia, Col. Jamie Ramerez was assassinated. His wife and two children were shot but survived. Loss of life is a common occurrence in the drug world in Colombia.

As a basis of the incarceration of Ochoa there are many threats coming out of Colombia against Colombian and other officials.

Mr. **Oxley**. Thank you. Thank you, Mr. Chairman.

Mr. **Rangel**. Mr. Coughlin.

Mr. **Coughlin**. Thank you, Mr. Chairman.

I want to congratulate each and every one of you on the dramatic progress that has been made. A subject that has been of particular concern to this Member of the committee is the progress made in addressing the demand side of the drug abuse problem. The fact that the National Drug Policy Board has been divided to include a drug prevention and health board, in addition to an enforcement board, is an extremely important positive step from what I can see.

When I watch television now, I see a tremendous private effort to address the problem of drug abuse that has been encouraged by the administration that I think is a very important addition to the overall effort.

I join Mr. Scheuer in congratulating you on the materials you have provided. We want to help you distribute these materials and get them in the right hands. It is not a question of trying to be in a contest because this information should be in the hands of parents of every grade school and high school student in the country. How can we help you accomplish this goal?

Mr. LENNOX. We are getting many materials in the clearing house and we are trying to get the schools totally involved so that they start bringing the parents in that school district into the school and support the message going out in the school and vice versa, that the school is reinforcing the message of the parents.

Mr. COUGHLIN. Can't we mail this to every doggoned parent?

Mr. LENNOX. I can talk to your staff about that, surely.

Mr. COUGHLIN. Let me come to a question for you, Dr. Macdonald. We had $5.5 million in the 1987 Labor-HHS-Education appropriations bill for audio-visual aids, and I understand the contracts will be awarded shortly. As a result of this effort, do you see a greater appreciation of the problems through a reduction in the use of cocaine and crack in particular?

Dr. MACDONALD. The difficult problem of prevention and demand reduction is changing behavior. That is not something you can legislate or push. Although I agree with you about the importance of educational material, I think there are a lot of other channels for educational material, the Bill Cosby Show and others that do a marvelous job.

Yesterday I was in Albuquerque with the White House Conference for a Drug-Free America. An issue raised by a group of parents was "Shouldn't the schools legislate that parents attend PTA meetings? Their answer was, "we don't know." But it was suggested that the important thing is getting the parents motivated to read drug educational materials. Industry is getting involved and helping to fill that gap. In answer to Mr. Rangel's suggestion about making this part of the work place, we can agree with that.

As far as "crack" and where we stand, we stand in a real mess. You know the numbers of people showing up at emergency rooms and seeking treatment is way, way up. The good part is that the number of users is not continuing to go up. The numbers of those in emergency rooms reflect the consequences of the use of this drug. It is our belief that we are turning the corner. The word is now out, unlike 10 years ago, that cocaine is dangerous, and we are hoping to see in our new numbers that perhaps the worst part of the "crack" epidemic is slowing up right now.

Mr. COUGHLIN. Let me put on another hat as the ranking minority member of the Appropriations Subcommittee that funds the Coast Guard. I know there was a dispute between the Customs Service and the Coast Guard about the operation of the 4 E2C's. In typical Government fashion, we gave two to the Customs Service and two to the Coast Guard. How is that working out?

Admiral ROBBINS. Very well.

Mr. COUGHLIN. Out of where are they operating?

Admiral ROBBINS. They are operating out of Corpus Christi. We operate together a lot. When the airplanes are in the Caribbean and the Gulf of Mexico the druggers don't know the difference, whether it is flown by Coast Guard or Customs.

Mr. COUGHLIN. Who is maintaining the E2C's?

Admiral ROBBINS. Some maintenance is done by contract and some is done by our own people.

Mr. COUGHLIN. There has been some dispute between the services about the C3I control centers. What is the status of that?

Admiral ROBBINS. That is moving along very well. We broke ground for it about October 20. There are both Coast Guard and Customs people there working on the project. We have had some contractual delays but it is moving along quite well. I fully expect that it will be operational in mid-fiscal year 1988.

Mr. COUGHLIN. The Anti-Drug Abuse Act provided for a regional air wing for Latin America. What is the status of that?

Mr. DION. That is under the State Department's authority. It is part of the budget of the Bureau of International Narcotics Matters. We are well along in the acquisition of aircraft and we hope that the first elements will be deployed in January 1988. We already have leased aircraft operating in Peru, Ecuador, and Bolivia. But the aircraft we are purchasing and will become part of the air fleet to be operated by our bureau will come on line in January 1988. 1988.

Mr. COUGHLIN. Thank you.

Mr. RANGEL. Mr. Hughes, chairman of the Crime Subcommittee of the Judiciary Committee.

Mr. HUGHES. Thank you, Mr. Chairman. I want to welcome our panel. I have a number of questions and I wonder if the panelists will, perhaps, keep the responses brief so I can get through a number of questions. First, let me congratulate the administration. I think the National Drug Policy Board is a major step forward. While I believe that there are some improvements that we can make on it, I am just delighted that after 7 years of wrestling with this concept, we finally implemented a measure of policy coordination.

In 1982 we developed an anti-crime package that included the so-called drug czar. Would anyone want to share with me what the difference is between that 1982 initiative vetoed by the President and what we have implemented today? Mr. Keating, I know you did not participate in those discussions, but if you can share with me some insight as to what difficulties we might see, I would appreciate it.

Mr. KEATING. Mr. Hughes, I think we have attempted to achieve the best of all possible worlds. We have not created an added layer of bureaucracy, but we have developed a system that demands accountability, access, and coordination.

Mr. HUGHES. We were not creating a new layer of bureaucracy either in 1982 with the so-called drug czar. Are you familiar with that legislation?

Mr. KEATING. It has been awhile since I read it, but as I understand, the Cabinet-level officer envisioned would have the authority to build a staff between himself and other Secretaries and agency heads.

Mr. HUGHES. That was not the situation. As a matter of fact, we were very flexible. I was a conferee trying to work out the difficulties on it. We were amenable to having the Attorney General serve as the chairman as he now is. What was distressing at that point was that I saw six of my crime bills vetoed along with the drug czar which came from the Senate, Joe Biden's initiative. But we are where we are.

Let me ask some questions about goals. Maybe you can tell me, Mr. Keating. The dollar we spend on substance abuse today, how much of it, from the point of view of the policy board, should go to education, demand reduction, how much to treatment and enforcement and interdiction?

Mr. KEATING. As I understand it, Congressman Hughes, some 25 percent of the dollars go to prevention, education, and health. The other 75 percent is divided among investigation, interdiction, State and local assistance, and a variety of other law enforcement elements. That is a subject for discussion and resolution before the Drug Policy Board right now.

Mr. HUGHES. I know what we spend, but how much of the dollar should we be spending on education, demand reduction as opposed to enforcement? I know Mr. Lawn would spend most of that dollar on education and demand reduction. I have heard many say that and I agree with that.

Mr. KEATING. The Policy Board has looked at the pie and concluded that law enforcement component is essential. Because interdiction is exclusively a Federal responsibility the State and local government is not responsible for stopping all cocaine, marijuana, and heroin coming into the United States. That is really our responsibility.

Mr. HUGHES. Ninety-five percent of the prosecutions are at the State and local level. You are only talking about one aspect of enforcement, interdiction. Most of the prosecution is, unfortunately, the responsibility in most instances of the local and State governments. That is one of the reasons the chairman and myself and others have been so concerned that we have not been good partners with State and local units of government.

My question is: What does the Policy Board say about how we should be spending the money, not what we are spending it on now?

Mr. KEATING. This is what I am attempting to provide to you, Congressman, is the fact at the present time that mix is 25–75, the Federal dollar mix. The Policy Board is reviewing that pie to determine is that a proportional and proper mix, should there be an adjustment, more for law enforcement or less, more or less for prevention and health, assuming the constancy of that dollar.

Mr. HUGHES. Let me congratulate you. We should have been doing that for many years. I am delighted we have reached the stage where we are looking at the total problem and not in a fragmented fashion.

Dr. Macdonald, I was fascinated by an article in the New York Times on October 21, byline Joel Brinkley. He indicates in a lengthy article, which carried your photograph, a number of things. Are you familiar with the article?

Dr. MACDONALD. Yes

Mr. HUGHES. Is it accurate?

Dr. MACDONALD. Yes, I am not misquoted in the article. The problem with the article as it was written is its neglect of the context of the national drug strategy which involves interdiction, prosecution, education, prevention, treatment, among other areas. It does, however, address the area of user responsibility.

Mr. HUGHES. It is by and large accurate. We have all been quoted out of context. We understand that. Let me ask you a question. In the article it indicates that the President has approved a strategy of arresting users and that is going to be the principal strategy. Is that accurate?

Dr. MACDONALD. I would refer the Committee to the 1984 National Strategy for Prevention of Drug Abuse and Drug Trafficking, where user responsibility is discussed throughout. Many people use drugs, and that we have called their use a victimless crimes. But we are now suggesting that we need to impose some sanctions on those people.

Mr. HUGHES. Who is going to make the arrests of users throughout the country? Is that going to be a new responsibility for the FBI, DEA?

Dr. MACDONALD. No, sir.

Mr. HUGHES. Who is going to do it, State and local units of government, I presume?

Dr. MACDONALD. In your State of New Jersey the new law is being enacted which stipulates that if somebody is caught underage and possessing marijuana or alcohol, sanction will be applied to that person, including loss of license or fine.

Mr. HUGHES. In Washington we have seen dismissal of hundreds of indictments, often traffickers, but users as well as traffickers because we have not had the resources to prosecute them.

Dr. MACDONALD. Basically what you are saying is not unlike what the treatment people have said. They say, "Don't you realize people need treatment? Why are you bothering with prevention?" Users are a major part of the drug problem.

Mr. HUGHES. We are unable to process traffickers today in our courts. We have backlogs. We have difficulty trying to maintain compliance with the Speedy Trial Act because we have such a backlog of cases trying to address traffickers.

Dr. MACDONALD. In this city, the usual course is that the young people are taken upstairs, the parents are called and told of the offense. They do not enter the jail cell. They do not end up in a paddy wagon. They are separated early in the system.

Mr. HUGHES. I don't disagree with prosecuting users. In my subcommittee just this past year, as Mr. Lawn and others may do, we did create, as part of the Controlled Substance Act, a mandatory penalty for possession. But we have a major resource problem here. Let me ask DEA. Mr. Lawn do you subscribe to this philosophy, to arrest users?

Mr. LAWN. Congressman Hughes, we support the premise that it is not a victimless crime and where we can encourage legislation like the legislation in New Jersey where a youngster is beginning to experiment, where he is penalized by a loss of license or by his or her not being allowed into a school system. We think that is a deterrent. As for criminal sanctions, no sir. We know the system is bogged down and that would be difficult for law enforcement.

Mr. **Hughes**. I realize my time is about up but I hope that as part of our strategy that we start looking at programs that are effective, I mean really effective, in trying to contain the problem on the enforcement side. The Foreign Cooperative Investigative Program in foreign countries is one of the most successful programs that we have.

As a matter of fact, the more we can contain substances in source countries, the more effective our enforcement efforts will be—better for the source country and better for our country. Once contraband reaches our country, it is like looking for a needle in a haystack, no matter how much staff we have on board. We just don't have enough resources to deal with the contraband once it comes into this country.

This committee and my own committee travel around the world, and sometimes we talk to agents around the world who have 3 or 4, or 5 countries to cover. There is no way in the world they can work cases, gather hard intelligence in those countries, and try to work to beef up the enforcement efforts in those countries with the kind of resources we have committed.

We are not even operating on the margin in those areas. If you want a strategy that is going to work on the enforcement side, it seems to me we ought to talk about the foreign investigative program and putting the resources in that program that we need. Do you disagree with that?

Mr. **Lawn**. No, sir. That is indeed part of the enforcement strategy where we have been putting additional resources in the overseas environment.

Mr. **Hughes**. But they are on the margin. We don't have nearly enough resources in most of the posts around the world, particularly in source countries.

Dr. **Macdonald**. What I have heard from a number of members of the Committee is the importance of reducing demand, getting the user separated from his habit or his pleasure, whatever he calls it. You have to have a number of strategies to address that.

One is that we say we won't tolerate use anymore. The laws are already on the books. In effect, we have made the use of marijuana de facto legalized by saying we don't have time for this.

Mr. **Hughes**. I don't disagree with this.

Dr. **Macdonald**. But it sounds like you do.

Mr. **Hughes**. No. I just indicated that I brought out of my Subcommittee on Crime last year a new statute to deal with users, quite the contrary. But I am saying given the resources we have, and given the fact that our mission is different from the State and local units of government and it seems to me it is rather hypocritical to say it is our policy to have the States begin arresting users, which was the thrust of your comments, and yet not giving the States the additional resources to do that.

The States are up to their eyeballs now in attempting to deal with the traffickers.

Dr. **Macdonald**. A number of States are passing laws similar to the New Jersey law—Texas, California, and Oregon. Missouri has it on their books. These States are saying that it makes sense to use sanctions as a tool of prevention, not as a tool of punishment.

Mr. HUGHES. But that was not the thrust of your article. Your article suggested that the new mix, in fact it talks in terms of the new policy, the thrust of the new policy will be one of arresting users. That is certainly an important component but it is so small compared to all the other aspects of an enforcement strategy that can work.

Dr. MACDONALD. There are 23 million users of illicit drugs in this country and they are becoming our major focus. William Raspberry wrote an article, based on the same conversation I had with Mr. Brinkly, that took an entirely different tone and twist, that said it makes sense and it is responsible. We are not talking about locking up kids. We are talking about using sanctions as a prevention tool.

Mr. RANGEL. We will have Members have another round and also let the panel volunteer if they have comments to make.

Mr. GUARINI. Did President Reagan clear your ideas about arresting users?

Dr. MACDONALD. I did not use the word "arrest."

Mr. GUARINI. I am asking whether you cleared it with the President.

Dr. MACDONALD. The concept of drug user responsibility has been a national strategy since 1982 and was reiterated in 1984. The concept of holding users responsible was specifically addressed to the President by me at an NDPB meeting in July.

Mr. GUARINI. You spoke to the President personally and he accepted this as national policy, right?

Dr. MACDONALD. Yes, but the word "arrest" was not part of the presentation.

Mr. GUARINI. What was the verb?

Dr. MACDONALD. Holding users responsible.

Mr. GUARINI. Well, how would you do it?

Dr. MACDONALD. The examples I gave to the President were the Missouri law and the Washington Heights case of the DEA seizing cars.

Mr. GUARINI. I quote you in the New York Times: "I think we are ready now to start arresting users."

Now that is pretty clear, isn't it?

Dr. MACDONALD. Then that is a misquote. Is that in quotes?

Mr. GUARINI. It is absolutely in quotes by the New York Times.

Dr. MACDONALD. No, I don't think so.

Mr. GUARINI. Are you opposed to arresting users or not?

Dr. MACDONALD. No.

Mr. GUARINI. Then you are for arresting users, so it is an accurate statement of your policy.

Dr. MACDONALD. I am talking about arrest by stopping a young kid by the side of the road and saying, son you have broken a law we consider very serious and I want your parents to know about this. That is an arrest.

Mr. GUARINI. Dr. Macdonald, you and I know that that does not respond to the question as to what arrest is. You and I are both in law enforcement, both in Government.

Dr. MACDONALD. Sir, I am a pediatrician.

Mr. Guarini. It says "Let's arrest the users." This impression must have been given to the New York Times and now you are equivocating on the meaning of arrest.

Dr. MacDonald. I don't use the word "arrest." Arrest is not a direct quote in that article.

Mr. Guarini. Are you for locking up and arresting users?

Dr. MacDonald. Absolutely not.

Mr. Guarini. So, you are against the concept as to what is in this article then?

Dr. MacDonald. You coupled a lot of things in that article. I got in this business because I am a parent. I care about kids.

Mr. Guarini. Are you for them being apprehended?

Dr. MacDonald. Absolutely.

Mr. Guarini. And brought to a retention center?

Dr. MacDonald. I want them to be entered in a system that tells them we won't tolerate drug use. I don't want them locked up over night.

Mr. Guarini. Do you mean to be taken against their will to a place and an authority where they can be held and retained?

Dr. MacDonald. Until their parents come to get them, right.

Mr. Guarini. Will there be a criminal record made of this incident?

Dr. MacDonald. In the city of Washington they have a method of handling juveniles that is entirely different.

Mr. Guarini. Suppose they are not juveniles. Should they be locked up?

Dr. MacDonald. The responsibility for breaking the law is real and I think we ought to enforce it.

Mr. Guarini. Have you asked for more resources to support the jails, prosecution, the police, in order to complete this national policy you say is a policy of the President.

Dr. MacDonald. I think Missouri and New Jersey have figured out how to do it on their own.

Mr. Guarini. Have you figured out, when we cut back on all aspects of the omnibus drug bill we passed 2 years ago, have you asked for any additional resources to carry out a policy of this sort? Because you can't carry it out—when the U.S. attorney from New Jersey told us he was closing files on people apprehended for selling drugs because he did not have resources.

So, how can you explain how you can have resources to carry out a national policy like this, unless there exists out there the funding, resources, jails and courts and police in order to execute the policy that you say is national policy?

Dr. MacDonald. I think you have to ask the people in New Jersey and Missouri who are doing it without Federal funds.

Mr. Guarini. But you are on the National Policy and Strategy Board.

Dr. MacDonald. It is my position that parents ought to spend more time with their kids, but I am not saying we should legislate that.

Mr. Guarini. You said we are turning a corner. In my opinion, that corner is off the mark. You indicated that matters are getting a little better, people are more aware of the problem and it is not getting any worse. Are you aware of the report, Patterns and

Trends in Drug Abuse in the United States which was issued by the National Institute on Drug Abuse?

Dr. MACDONALD. Yes, sir.

Mr. GUARINI. They went into the 20 principal cities in the United States and a survey showed dramatic increases in emergency room admissions for drug overdoses and drug deaths?

Dr. MACDONALD. I am aware of that, sir.

Mr. GUARINI. In various city after city it says the situation is getting worse, whether it is Phoenix with cocaine, Denver, Minneapolis, Atlanta, Miami, Washington, DC, San Francisco that in crack and in cocaine and in heroin and other drugs, whether they be PCB's or whatever, they are becoming increasingly worse that there is a greater national health problem out there than existed previously.

Dr. MACDONALD. Yes, sir. I am aware of that.

Mr. GUARINI. Then how can you say we are turning a corner when we have purer, and more and cheaper drugs on the streets of our cities and communities throughout the United States. How can you say we are turning a corner?

Dr. MACDONALD. I am not saying we have won the war, or it is time to give up, but most of those people now in trouble with the cocaine habit, most of those people began their drug use years ago and are now suffering the consequences. We now understand cocaine is a dangerous and addictive drug.

Mr. GUARINI. We know that nuclear war is dangerous, but it doesn't mean we have not taken steps to a strategy to avoid the problems.

Dr. MACDONALD. Knowledge and attitudes about drug use have clearly changed in this country and also attitudes about the permissiveness, acceptability, and tolerance of drug use.

Mr. GUARINI. You are saying now we know what the problem is. Now what are we going to do about it?

Dr. MACDONALD. I am saying now we know about the problem and we are ready to do something and things are being done. You know the rate of marijuana used among high school seniors fell from 11 to 4 percent from 1978 to 1986. That is 194,000 fewer kids smoking marijuana daily in the class of 1986 than were smoking in the class of 1978.

Mr. GUARINI. But the report says cocaine is at an all time high. You go back to marijuana. You can also make the argument you want to make, sir, but I am saying there is a worse national health problem out there than has existed in the past.

Dr. MACDONALD. I understand that there are more people waiting for help, but what we are seeing are the terrible consequences. The number of people who used cocaine in this country last year is relatively stable from what it was three years ago. It is a terrible level, 12 million people. But basically it is the same level. But today People are using more cocaine more often with more consequences. It is a devil of a problem.

Mr. GUARINI. We have a National Drug Policy Board with 17 members and such additional members as the President wants to appoint. None of the members appointed to the board are here before us in Congress today. Not one of you in this room is a member of that Board.

Dr. **MACDONALD**. No, sir. I am a member of that Board.

Mr. **GUARINI**. Then you are the only member; is that right?

Dr. **MACDONALD**. I am the only one here.

Mr. **GUARINI**. Do you disagree among yourselves as to what policy and strategy should be and how do you resolve it? Do you resolve it by consensus?

Dr. **MACDONALD**. We agree on more than we disagree on. We meet very regularly.

Mr. **GUARINI**. Then you operate like committees and committees take votes and then direct policy according to consensus, right?

Dr. **MACDONALD**. We look for consensus and if there is no consensus, the drug czar is the President of the United States.

Mr. **GUARINI**. Then you report to the Attorney General and the Attorney General reports to the President of the United States, instead of one person who would have the ear of the President of the United States, what we have is people who already have many loads of responsibilities and titles that they have, as you have and as you report to the Secretaries have, and then that person, the Attorney General, with all the other problems that he has, regardless of what type of problems they are, has only a few minutes with the President of the United States to get the President to focus on this problem for a limited amount of time. Is that correct?

Dr. **MACDONALD**. Maybe Mr. Keating would like to speak for the Attorney General. Let me say that the amount of time that man has put in on meetings of the Drug Policy Board has been remarkable. There have been 10 meetings of the Drug Policy Board in the last 2 months.

Mr. **GUARINI**. Has the strategy changed as a result of those 10 meetings?

Dr. **MACDONALD**. Absolutely. We are raising issues like the issue Mr. Oxley brought up, the issue of user responsibility has been addressed, and other issues like treatment.

Mr. **GUARINI**. There seems to be some disagreement with the panel here on user responsibility. If these are the new ideas coming forth, we may be a little bankrupt. I wonder if there are enough resources to do the job you are supposed to do, whether or not this is a cosmetic or public relations board. I seem to have a sense that this is a procedural board and not one of a particular substance that would change the policies that we have had in the past.

If users' responsibility is the only new policy you are coming forward with, then I want to be satisfied that we are using a new creative thinking in regard to approaching the drug problem. The truth is we have less education today than we have ever had, less money going to state and local authorities than we have ever had, because what has been asked and signed by the President 2 years ago has been cut in his budget request this year.

I am on the Budget Committee and I can tell you that many of these budget authority requests of the President to do the work that this Board is committed to have been cut drastically. Have any of you spoken to the President about better funding for drug treatment and prevention funding? Will there be more funding?

Dr. **MACDONALD**. Let me defer to Frank Keating on this. But I would like to say you will see the 1989 budget and you will know where we stand. I am not free to discuss that now, but it is something the Drug Policy Board is currently discussing and will continue to discuss in the weeks ahead. As to the question of decreased funding, in every single year of the Reagan administration the drug budget has gone up. The one item that seems to be in question is the enhancement in the 1987 budget that was voted on to implement the legislation of October 1986. This is seen by the administration as a part of a package of major enhancements of drug effort. How we handle that you will know in January.

Mr. **Guarini**. The omnibus bill said $200 million for drug education. The President signed that bill and then, in 1988, he asked for $100 million. The House put in $200 million. The Senate put in $250 million recognizing that the demand side is an important side and a $100 billion business going on in the streets of America, that all that would be spent according to the President's request, would be $100 million.

Now we have the 1989 budget coming in soon. Are there going to be additional requests on the demand side, which is your field?

Dr. **Macdonald**. I think we are a month away from the real answer on that.

Mr. **Guarini**. But you will be talking about that pretty soon. Do you intend to ask for more money for next year's budget for prevention and treatment?

Dr. **Macdonald**. We have submitted a request from each of the committees on both the demand and supply sides regarding the budget amounts. I am not at liberty to discuss these amounts.

Mr. **Rangel**. The Chair would like to recognize Mr. Gilman, the ranking minority member. But I would ask him to yield for a question here.

Mr. Lawn, you have had an opportunity to listen to some of the questions that have been raised of Dr. Macdonald and Dr. Macdonald can stop me if the quote is incorrect. My question to you, Mr. Lawn, is whether you support it.

> I think we are ready now to start arresting users, included would be anyone caught with even a small quantity of drugs. I don't think kids ought to be arrested They should be taken to court. When is this likely to become national policy? It is done. I have talked with the President about it, told him my ideas and he has cleared it, he said okay.

Dr. **Macdonald**. Even in that sentence it made it clear that I was not talking about arresting. I don't know where that came from.

Mr. **Rangel**. You are a pediatrician but I will tell you that you don't get to court with doctors asking you to come along. That is why I am asking the chief law enforcement person here. We are not just talking about kids, we are talking about anybody using, as a national policy suggested to the President by the special assistant approved by the President, and now I am asking the chief law enforcement officer of drug abuse whether or not you have any problem with these statements.

Mr. **Lawn**. The enforcement strategy is to go after major level traffickers, to go after their assets. I have talked to Dr. Macdonald at length about this, we support some kind of administrative procedure wherein a youth receives some penalty for drug use.

Mr. **Rangel**. Please don't do that to me, Jack. We are talking here about lawyers, stockbrokers, young professionals. I am with

Mr. Hughes, I don't have a problem coddling up to these young people who are violating the law. If this is national policy supported by the President of the United States and you have 2,500 people around the world, and we are not talking about any additional resources, I know your priorities, I am asking you, do you have any problem at all with the enforcement of this national policy?

Mr. **Lawn**. Certainly I have a problem of our going out and arresting a user on the street corner.

Mr. **Rangel**. Who the heck is going to arrest him?

Mr. **Lawn**. I support some action against the user like in the State of New Jersey. At a recent chemical conference in the State of Texas, San Antonio, 41 representatives from the States indicated their support for legislation like the New Jersey legislation.

Mr. **Rangel**. Mr. Lawn, you are the national law enforcement officer. I know you are not suggesting to me that you expect local law enforcement to do for national policy what you are not prepared to do. You don't get to court without an arrest. You know it and I know it. Do you have any problem bringing people to court—juveniles, adults, employed, unemployed—bringing them to court in support of the national policy approved by the President of the United States?

Mr. **Lawn**. It is not a part of our enforcement strategy to arrest the users.

Mr. **Rangel**. You are their national drug law enforcement officer, aren't you?

Mr. **Lawn**. Yes, sir, I am one of them. I am Chairman of the Enforcement Committee.

Mr. **Rangel**. You just heard about a national drug enforcement policy.

Mr. **Lawn**. I see this as a demand reduction strategy.

Mr. **Rangel**. All right, that takes care of it. Demand reduction is putting someone in jail.

Mr. **Hughes**. Would you yield?

Mr. **Rangel**. Yes.

Mr. **Hughes**. We all know that we don't have the resources today to prosecute the traffickers. Our No. 1 priority is and should always be the prosecution of traffickers and provide resources to do a better job in that area. That is the point. If there is a change in policy——

Dr. **Macdonald**. Mr. Hughes, how do you feel about seizure of assets from users?

Mr. **Hughes**. I was the author of the forfeiture bill.

Dr. **Macdonald**. Of users?

Mr. **Hughes**. Forfeiture, generally, Mr. Macdonald, I don't know how you can forfeit unless you arrest. We already have civil penalties. But that is not responsible to initiate civil forfeiture proceedings against users because we don't have the resources in the area of criminal forfeiture today.

Dr. **Macdonald**. Can I ask Mr. Lawn to comment on the forfeiture of cars in New York?

Mr. **Keating**. Mr. Hughes, may I say what our policy is in the enforcement side. I think it will flesh out what Mr. Lawn and Mr. Macdonald said. We, as a law enforcement community, wish to make drug use painful. We wish to make sure that anyone who uses drugs and traffics in drugs suffers. We will encourage State and local government to pass statutes within existing resources to achieve that goal. To the extent we can do so on very limited resources in the United States, we will do so.

In the southwest border, San Diego, they have a policy that requires that anyone caught with drugs coming across the border be arrested, notwithstanding the amount or intent, whether it is for the purpose of satisfying personal lust for drugs or to sell to somebody else. Contrary to what the moaning might be about the lack of resources, Mr. Nunez of San Diego has been very successful in processing all those people. Why? The case is so good, you have absolutely no defense, 9 out of 10 of those cases result in pleas, and 9 out of 10 result in the imposition of a fine, no jail time, but pain.

That is what we would like to see. We are being inundated with 24 or 25 million drug users. We would like to take a page out of Mothers Against Drunk Driving's book where the people are outraged and they want violaters to suffer.

Mr. HUGHES. We don't have the resources today. We don't have the U.S. attorneys. We don't have the marshals, the jail space or the resources to prosecute drug traffickers today. That should still be our No. 1 priority on the enforcement side. When you talk about arresting users, I support that—if we had the resources, that would be wonderful. But we don't have.

When we have to dismiss hundreds of cases against drug traffickers because we don't have the resources to try them, that is a real problem. It ought to be expansion of the Foreign Cooperative Investigative Program to get better intelligence so we can do a better job of containing in source countries and we can also make better trafficking arrests. We can improve that dramatically. With better intelligence, we can increase the incidence of arrests, and the seizure of contraband coming from other countries, dramatically, and we are not doing that like we should.

Mr. GILMAN. Mr. Chairman, I want to commend you for arranging this oversight hearing. It has been 1 year since Congress approached this problem and applied real resources, and, unfortunately, each agency has whittled back from where the Congress was trying to give you the wherewithal to attack the problem on five battlefronts.

I am trying to understand why the administration continues to fight with us in cutting back on such a critical problem, a problem that is growing each and every month, day, year. Yet you don't take advantage of what the Congress is trying to do to make certain you are going to have the equipment, the manpower, or the wherewithal to do the job we want you to do.

We are not doing the job. It is obvious we have more and more drugs coming across the shores, more and more users in the country and more traffickers making tremendous profits out of this illicit activity. Yet we have not evolved the kind of effective strategy that is needed if we are going to succeed. We have yet to develop the kind of national strategy that really makes a dent in this program. I am very much concerned that about 50 percent of the funds we worked on in the Congress, virtually unanimously in the Congress on both sides of the aisle, to give you the wherewithal, you have cut back by 50 percent.

How many of you sit on the National Drug Policy Board? You are all key players. General Olmstead?

General Olmstead. The Secretary of Defense is the member on the National Drug Policy Board, but I have been privileged to be his backseater and have sat in on his place a number of times.

Mr. Gilman. Not on a regular basis?

General Olmstead. The Secretary of Defense is the member.

Mr. Gilman. Does he sit in occasionally or all the time?

General Olmstead. He makes most of them, either he or his deputy. Sometimes I do.

Mr. Lennox. The Secretary of Education does and I go when he cannot make it.

Mr. Lawn. I go to every meeting.

Mr. Gilman. How many meetings have you attended?

Mr. Lawn. I have missed less than 5 percent.

Mr. Gilman. How many have you attended over the year?

Mr. Lawn. 20 or more.

Mr. Lane. No, sir. The Secretary of Treasury is a member.

Mr. Gilman. Customs doesn't sit in?

Mr. Keating. Mr. Gilman, you were not present when I attempted to explain that it is a pyramidal structure, a supply and demand side. On the supply side, we have a board that meets on a monthly basis under the chairmanship of Steve Trott, an Associate Attorney General and as a result of his becoming a circuit judge, I am the present director of that group.

Mr. Gilman. When you sit down to make policy, are all the key players there to make policy?

Mr. Keating. They are. That is what is unprecedented about this. It has been a tremendous success for this administration. Putting together the southwest border operation, when we say one-third of the drugs coming from Mexico in to the United States, heroin, cocaine, and marijuana, the policy board instructed us to respond to that and as a result we did respond. We put nearly 1,000 INS, DEA, FBI, U.S. attorney, Customs, Secret Service, ATF agents along the southwest border in the first year of operation.

Mr. Gilman. Is it successful?

Mr. Keating. Tremendously.

Mr. Gilman. Why are we now cutting over 100 Customs people?

Mr. Keating. Mr. Gilman, at the present time we are satisfied with the level of resources we have. We are doing the job extremely well. There is a need for cooperation and coordination and sharing of jurisdiction.

Mr. Gilman. Do we have more products coming into the country this year than last year?

Mr. Keating. That is hard to say. We don't know. We are seizing more than ever, 89,000 pounds of cocaine last year.

Mr. Gilman. Some of our law enforcement people tell us that a greater number of seizures indicates there are more products coming across the shoreline because we are only able to seize so much of the product.

Do you agree?

Mr. Keating. For the first time, as a result of the leadership of the Attorney General and this President and this Congress, we have a more effective and to be even more effective interdiction network as a result of the interdiction assets. The P-3's, the E-2C's, aerostat balloons, ground-based radars, the Coast Guard cutters, the cooperation between Cost Guard and Customs, the command control and intelligence facilities, we are seizing tremendous amounts of assets and a lot of dope and we are arresting a lot of people. That is unprecedented.

Mr. GILMAN. I think we recognize those amounts and they are being achieved through a greater number of assets that you have available, as you indicated. Why are you cutting back on additional funding for even more resources so that we can make a larger dent in the supply?

Mr. KEATING. We have more people than ever before.

Mr. GILMAN. Do you have too many people?

Mr. KEATING. No.

Mr. GILMAN. Do you need more people?

Mr. KEATING. If we could be arm in arm along the southwest and southeast borders, we would probably do a better job. Realistically, we can't do that.

Mr. GILMAN. Do we need more equipment, more intelligence, more people doing the job than we have at the present time?

Mr. KEATING. In some cases, I believe we do.

Mr. GILMAN. That is why I regret seeing the cutback in present funding for key people, sensitive people who are supposed to be doing the job.

Dr. Macdonald, I assume you sit in on all the drug policy meetings?

Dr. MACDONALD. Yes, sir. What I have tried to explain is that this is not a new policy.

Mr. GILMAN. You indicated in your press statement that it is a new policy, the President has now approved it. Is this something that came out of the Board?

Dr. MACDONALD. Yes. One of the things we have talked about in the Board is the importance on the demand side of dealing with the 23 million American users.

Mr. GILMAN. Was there any thought given to the additional need for resources to do what you want to do?

Dr. MACDONALD. What I understand from your comments is that we should hold users responsible, that sanctions do make sense, and where do we find resources to do that?

Mr. GILMAN. Exactly, because the local law enforcement people continually tell us, "You want us to do the job, help us, give us the resources to do it. We don't have enough now and you are adding additional burdens. Where is the help that is needed?" Did you give any thought to providing an answer to that?

Dr. MACDONALD. I commented about the seizure of cars.

Mr. GILMAN. Would the seizure of cars fund some kind of program? We are using cars now of traffickers.

Dr. MACDONALD. I am talking about users.

Mr. GILMAN. Then you are talking about a criminal penalty.

Dr. MACDONALD. What I hear from the police around the country is a feeling that the troubles that go on in their cities are related to drug use. It doesn't make much sense to say, that if you deal with the users, you will neglect other criminal activities.

Mr. **Gilman**. If you really want local government out there to seize the abusers, you will have to help them with some realistic funding and change some of the laws.

Dr. **Macdonald**. I suggest we look at some States which are now implementing this policy themselves and others rushing to do that and see how it works.

Mr. **Gilman**. I wish you would sit with this committee when we go out to various cities and hear the local law enforcement people tell us, "We can't do the job without additional resources. We don't have enough to do what we are supposed to do in local law enforcement." Ask your Justice people what they are hearing out there.

Dr. **Macdonald**. You are saying you don't object to the policy, what you are concerned about is how we are going to fund it?

Mr. **Gilman**. Precisely, if we are going to make new policy, let's put some resources into play, so we can implement them.

Mr. **Lennox**. The Department of Education does support user responsibility, particularly for the kids. It costs little or no money. We are talking about tougher policies in the schools. I think it is regrettable that the Congressmen from New Jersey took after the law their State had the initiative to pass. The one that denies drivers licenses to users.

Mr. **Guarini**. If you don't have the resources and you have a law that is policy that is unenforceable, you are making a mockery out of the whole program.

Mr. **Lennox**. New Jersey, Missouri, and Oregon, obviously have the resources.

Mr. **Guarini**. They are apparently able to carry through with the enunciation of the law.

Mr. **Lennox**. I think it is important that we try to encourage that in other States.

Mr. **Guarini**. When a U.S. attorney has stated to this committee in Newark, NJ, that he is closing files on drug traffickers because he does not have the resources in his department to enforce the law, then we use our resources for——

Mr. **Gilman**. Mr. Dion.

Mr. **Dion**. Ann Wrobleski who is the Assistant Secretary of State.

Mr. **Gilman**. Does the Secretary of State sit in?

Mr. **Dion**. He has attended a number of meetings of the Board; not all the Board, but one of the principal officers attended with Ms. Wrobleski.

Mr. **Gilman**. Mr. Robbins?

Admiral **Robbins**. Not on the Policy Board. We are represented by the Secretary of Transportation who usually attends.

Mr. **Gilman**. Yet you are one of the more active services interdicting?

Mr. **Keating**. Whenever issues of interest to the Coast Guard were discussed Secretary Dole at that time, and I am sure Secretary Burnley now, would have Admiral Yost attend.

Mr. **Gilman**. Mr. Dion, as you know, for a number of years now we have been pressing the State Department to develop a mechanism between the United States and Mexico to have a cooperative exchange of information. We do this not because this committee has the unique idea of doing it. Our Mexican colleagues at interparliamentary meetings have passed resolution after resolution for at least 3 to 4 years that I recall.

Yet the State Department resists implementation. I will read that part of Public Law 99-570 adopted October 27, 1986. I would venture to say we are highly embarrassed when we meet with our Mexican colleagues and urge them to do more and they say, do more, you cannot bring about the implementation of a joint commission to try to resolve these problems. We have to say well, our State Department has reservations, reservations about a law, and now the Department has veto power over a Congressional law? I don't understand that background. I think we ought to take a look at it—

> Section 2024 of Public Law 99-570 Mexico Intergovernmental Commission negotiates to establish in accordance with the resolution adopted by the 26th Mexico-United States Interparliamentary Conference which recommended that the Government of Mexico and the Government of the United States establish a Mexico-United States intergovernmental commission on narcotics, and psychotropic abuse and control should direct the President of the United States in connection with the National Drug Enforcement Policy Board to enter into negotiation with the Government of Mexico to create such a joint intergovernmental commission.

Mr. Keating, has the Board ever discussed this issue?

Mr. **Keating**. Not to my knowledge.

Mr. **Gilman**. OK.

> B: The Commission which should meet semiannually will include members of the Mexican Senate and Chamber of Deputies and the United States House of Representatives and Senate together with members responsible for drug abuse education.
>
> C: Report to Congress not later than 90 days after the date of enactment of this act, October 1986, the Secretary of State shall report to the Congress on the progress being made from the establishment of the commission in accordance with subsection A.

The State Department says they don't know of any precedent for having an administrative representative sit in with Members of Congress. The Helsinki Commission, which has members of the administration sitting with Congress at hearings and taking an active role, that is a precedent. If we have a critical problem with Mexico, I don't know why the State Department resists this. Our Mexican counterparts say they were ready right after that resolution was adopted. They have the members appointed. Where are you, United States? Mr. Dion?

Mr. **Dion**. I can tell you this has been discussed on many previous occasions, as you are well aware, at hearings and in private coversations with members. A letter was delivered the last time I appeared from the Secretary of State. I think that it is precisely as you have stated, that the Department's brief answer is that it is an unwise policy to form a joint legislative and executive negotiating commission, particularly in the case of Mexico.

Mr. **Gilman**. Mr. Dion, are you saying you are vetoing what the Congress has passed and the President signed into law?

Mr. **Dion**. I cannot quote you the letter that will be delivered today, but there will be a letter delivered today on the subject. I can say that the belief has not changed that the Department has opposed a precedent we would not want to see established.

Mr. **Gilman**. Yesterday I met with representatives of the Mexican Government. They said our Attorney General is prepared to have a representative sit in on that Commission. They have no objection to that. They reminded us that they had the members appointed several years ago, ready, willing and waiting for us to go ahead. Let me urge you to take this back to your Department to try to implement what I consider to be a very valuable asset in working out our problems with Mexico.

Mr. DION. This has been studied here and negotiated with the Mexican Ministry of Foreign Relations. Our Embassy indicated that the Mexicans also have a problem with the establishment of this type of commission.

Mr. GILMAN. Thank you.

Mr. RANGEL. Do any members of the panel have something to say now that we have all had a chance to ask our questions.

Mr. KEATING. This is not to suggest that we are not talking with the Mexicans. We need to do a lot more talking. We have a 2,000-mile border that is largely a sieve. We have a mutual interest in attempting to stop the narcotics as well as the firearms.

Mr. GILMAN. That is the precise reason we wanted to create this Commission. The Mexicans and the United States recognize we need to do just that.

Mr. KEATING. As you know, the concern the State Department has is the executive and legislative branch negotiating together in the process. As far as the executive branch, we are talking. This Sunday I am going to Mexico for a meeting with the deputy attorney general as well as the four border States' attorneys general.

The purpose of that meeting is to attempt to convince the Mexicans to cooperate with us on their side of the border, a land, air, and sea operation to help us in the interdiction mission. They have a serious problem and we have one, too, and we have to continue to work together and we will.

Mr. GILMAN. You think the parliamentarians can be of help in trying to arouse the support that is needed on our border?

Mr. DION. We are in favor of an interparliamentary commission and we have said this on several occasions. The executive branch would act as an adviser, provide briefings, and attend meetings but we oppose a joint mixed negotiating commission composed of legislative and executive branch officials——

Mr. GILMAN. I think we were talking about exploring the problems to make recommendations. I still can't understand the resistance. Thank you.

Mr. Dion, I can understand the reluctance from the State Department to accept this concept for whatever reasons you are suggesting. But do you have any problem in understanding that that concept has been enacted into law by the signing of the legislation by the President of the United States?

Mr. DION. I think the act was intended to establish negotiations between the United States and Mexico to come up with an interparliamentary body; but that a negotiating commission with the executive and legislative branch of each country participating is not acceptable to us or acceptable to the Government of Mexico.

Mr. RANGEL. I can understand that you don't like it, but there is nothing in this law talking about negotiation. It is a mandate signed by the President. If there is anyone here from the State Department, and I see a lot of well-known experienced members here, I hope they take a look at this and tell me where you find the language that you have the leeway you would like to have. You may call it unconstitutional, that you don't want to enforce the law, these things we can talk about, but there is nothing in this law that says, "Look at it, if you don't like it, don't enforce it."

I understand your position. You don't like it.

Mr. Dion. I have not said that.

Mr. Rangel. I am talking about the Secretary of State. Mr. Keating, you referred to the border as being a sieve. Does that suggest you might have some idea about the amount of drugs that are coming across the border? How much cocaine, heroin, and marijuana.

Mr. Keating. More is coming across that we are getting, I know that.

Mr. Rangel. That is really not an enlightened statement. I know the problem and I am trying to ask you, do you have a guesstimate. We make up our own as we go along. We assume you do the same. We want to know what figures you are using today. For cocaine, recognizing they don't even grow cocaine, what do you think it is?

Mr. Keating. The reason for the creation of the alliance was that of the total amount of cocaine coming into the United States, the total amount of marijuana coming into the United States, roughly one-third, it ranges from 33 to 40 percent of those sums were coming either as a result of transshipment through Mexico or growth in Mexico.

Mr. Rangel. That is good; 30 to 40 percent of what amount?

Mr. Keating. Let me see if Mr. Lawn has those figures. The total, the universal is 300,000 pounds of cocaine, about 12,000 to 15,000 pounds.

Mr. Rangel. You don't mean pounds, we have that much in my district.

Mr. Lawn. Approximately 30 percent of the cocaine available in the United States transits Mexico.

Mr. Rangel. You don't need to get it exact. We just want to know what you are using. Does State have some figures?

Mr. Dion. Yes, sir.

Mr. Rangel. How much cocaine do you really believe is coming across the border from Mexico?

Mr. Dion. I don't think we are able to give you an exact figure. We can say how much cocaine is estimated to be produced in Latin America and project what percent transits Mexico.

Mr. Rangel. That is good. We will take anything. It is not my question, but it is a good answer. How much is being produced in South America?

Mr. Dion. Approximately 300,000 metric tons of cocaleaf is grown. And that means 300 metric tons of cocaine.

Mr. Rangel. What portion do you guess of the 300,000 tons of cocaine is coming into the United States?

Mr. Dion. Thirty percent would be approximately 100 tons. However, some of that is consumed there or goes to other markets, Australia, Western Europe.

Mr. Rangel. Now with the heroin, how much does the State Department believe is being produced throughout the world?

Mr. **Dion**. About two-thirds of it comes from Southwest Asia. About 20 percent comes from the Southeast Asia area and about 20 percent from Mexico.

Mr. **Rangel**. That is not my question. My question is how much is being produced throughout the world?

Mr. **Dion**. About two thousand five hundred metric tons of opium is produced world wide. That is refined into heroin at the rate of—60 to 80 tons of heroin. That is throughout the world.

Mr. **Rangel**. Now how much of all this production and processing would you guesstimate is coming in to the United States?

Mr. **Dion**. Approximately 6 to 8 tons of heroin.

Mr. **Rangel**. And that is 100 tons of cocaine. Without going into all the theatrics about where it is produced, how much marijuana is coming in, would you guess?

Mr. **Dion**. Around 9,000 or 10,000 metric tons.

Mr. **Rangel**. Is that 1986, 1987 figures?

Mr. **Dion**. Those are 1986 figures.

Mr. **Rangel**. Is this any different at all from the 1985 figures for any part of this?

Mr. **Dion**. Yes, the cocaine numbers would be considerably higher.

Mr. **Rangel**. Would the 1984 figures be considerably higher than the 1983 figures?

Mr. **Dion**. Yes, you can say that for every year.

Mr. **Rangel**. Let's get back to the victory at the border thing we were talking about. We had Commissioner von Raab as a witness where he used the exact same adjective you did about "sieve." He said that if he had all the technology and all the equipment he could not stop more than 30 percent of the stuff coming into the United States.

We thought it was a courageous and accurate statement. How could you suggest to this committee that you think we are at the same level when the United Nations, every international force, the State Department, which is part of the Board, all agree that there have been explosions in production, explosions in trafficking, and you are saying that you believe that we are holding our own in terms of what is coming into the United States.

It is inconsistent with what the Board members are saying.

Mr. **Keating**. What I said, Congressman Rangel, is that we are doing a better job. We are seizing more cocaine than we have ever seized. As a percentage of what is coming in, I would say we are doing better than we have ever done.

Mr. **Rangel**. You are getting a higher percentage of what is being produced?

Mr. **Keating**. Yes, we are getting a larger and larger percentage of what we think is coming in. Obviously, this is a guesstimate. These people don't publish figures of import and export in crop sales in a trade publication.

Mr. **Rangel**. I understand that.

Mr. **Keating**. The Customs Service alone, this last fiscal year, got nearly 90,000 pounds which is way over the previous year.

Mr. **Rangel**. Isn't it consistent that if world production has exploded, and assuming that we have the dedicated Customs agents and DEA agents that we are privileged to have, that the seizures should be up?

Mr. **Keating**. They should be up if we have those people on the border, and we do.

Mr. **Rangel**. You do.

Mr. **Keating**. I am saying based on my overview of the problem, that we appear to be seizing as a percentage basis, a larger percentage of the huge amount that is coming in.

Mr. **Rangel**. I don't know where you get that type of speculation from. I am willing to speculate with you on anything because I know it is not reported to the Treasury. But there is nothing consistent that we are getting more of a percentage of what is coming in when we don't have any idea of what is being produced.

Mr. **Keating**. In my early days as U.S. attorney, it used to be that 1 or 2 or 5 pound cocaine case were considered big cases. We got 9,000 pounds of cocaine in Fort Lauderdale 2 weeks ago.

Mr. **Rangel**. I am congratulating you for that, but it doesn't have a darn thing to do with two things, and if it does, you correct me.

The amount that is increasingly being produced in South America and opium around the world, nor does it give us any satisfaction in believing, and this is the key, that there is one ounce less drugs on the street as a result of these heroic efforts. Now you contradict me if I am wrong.

Mr. **Guarini**. Would you yield?

Mr. **Rangel**. No, I want to get an answer to that. I write Mr. Lawn and Customs and everyone after a major seizure has been made. These people risk their lives and America is grateful because they do. But there is nothing to indicate, as a matter of fact, the evidence is to the contrary, that we have more drugs on our streets than we have ever had before and each year it is increasing.

Production increased, seizures increased, but still the availability increases. Do you contradict that, Mr. Keating?

Mr. **Keating**. I will ask Mr. Lane to respond. He has been anxious to say a few words, then I will follow up.

Mr. **Rangel**. I wish you would try to handle that, Mr. Keating. We have a lot of technicians here who do their job well. I don't have any problems with Mr. Lane doing his job. I don't have any problem with Customs or DEA. They are doing the best they can with what you have to work with.

I am just asking: As a result of all these efforts in the increase of expertise, technology, and efforts put into this area, are you suggesting that there might be one ounce less of heroin, opium, cocaine, or marijuana on the street as a result of that?

Mr. **Keating**. No.

Mr. **Rangel**. I wanted to hear from Mr. Lane.

Mr. **Lane**. We have a horrible problem, too many people in this country abuse drugs.

Mr. **Rangel**. If you are telling me that you have enough resources, you are turning the corner, it looks like victory is at hand and we better start developing plans to arrest the users because that will reduce demand, and we don't have to reach out to help local and State law enforcement because that is a local and State problem and not a Federal problem, then I don't know how we can better develop a partnership.

Nobody here can contradict that this Congress has attempted to support authorization and appropriations in any area that you have suggested. We have done it when the Secretary of Education said he didn't want a nickel. We have done it when the Attorney General said he didn't want a nickel for local and State law enforcement. We have done it notwithstanding the winks and blinks of Customs when they know what they have had to work with.

Now we want to go home and say as a result of this support that there has been some positive return for our investment. The only thing I hear and as gentle and kind as I can be, is you should have seen what would have been on the streets if it were not for our effort.

Mr. LANE. Mr. Chairman, I think your original question was what do you go home and tell your constituents about the monumental drug legislation of 1986. I think as far as enforcement and interdiction goes you can give yourselves a good report card. I think it was landmark legislation, a milestone legislative achievement. It is not going to pay off today or tomorrow. You have set the framework for us to complete our air interdiction network. In putting those aerostats up on the southwest border, getting the P-3's converted and getting the Citations and the Nomads, will mean we can give the kind of performance nationwide that we have given in the southeast.

The resources provided over the years for the southeast means we have not stopped but have provided a deterrent effect in the southeast that has pushed drugs to the southwest border. I think you can tell them you have given us the resources to complete our marine network that has reduced the amount of marijuana coming into this country by sea, a real reduction. As we complete this air and marine network over the next 2 years, you will see a reduction in drugs, over the next 2 or 3 years.

You can say you forced the administration into a quasi-drug czar, but the Drug Policy Board is working. All these agencies, the 15 or 18, are working together, Customs, DEA, Coast Guard, are working together. What you get out of this interdiction strategy is a net reduction in drugs coming in by air and sea.

We are now emphasizing to a great degree, probably the hardest way, and that is the land; 6 million containers alone enter this country, 400 billion dollars' worth of cargo comes in. It is our job to stop it there. I think with the strategy, we have looked at every single means and method and mode for narcotics to come in. We have assigned responsibilities by agency, and I think we are going to do one heck of a job based on the resources that you have given us, as well as the authorities you gave us.

Mr. RANGEL. I want to thank you, Mr. Lane, for that statement. I want you to know that this committee has had a good working relationship with the Commissioner over the years and you can depend on us having that. I hope we can get that type of support for this landmark, historic legislation from this committee.

My question would be, since we had tremendous resistance from the administration at the time the bill was enacted, Mr. Keating, will the Attorney General approve the assistance we allocated for local and State law enforcement officials?

Mr. KEATING. Are you talking about the 1989 submission?

Mr. RANGEL. I am saying that Mr. Lane was saying that we can go home and say that that has been a dramatic landmark legislation. He was saying that. He also was suggesting that the administration, by signing it, supports it. That the Attorney General supports the congressional effort which was signed into law to give assistance to State and local law enforcement.

Mr. KEATING. The Attorney General supported the $225 million submission in fiscal year 1987. Of those grant moneys, we have distributed to the States most of that money. As a matter of fact, of the $178 million——

Mr. RANGEL. Let me interrupt, Mr. Keating. We have no problem with enforcement of the law. I am not talking about the distribution of the money. I am saying if, indeed, we are right and it was landmark legislation, that the Nation moved to become partners with the State and local officials, I am asking, does not now the Attorney General support the concept that we have a Federal responsibility to be of assistance to local and State law enforcement? Not whether or not you are getting the money out, but whether or not you support the concept in this landmark legislation.

Mr. KEATING. We support the continued building relationship between the Federal and State law enforcement.

Mr. RANGEL. That is not our job. We are talking about legislation and money.

Mr. KEATING. Last year and the year before last the Customs Service alone distributed $10 million of seized assets to State and local law enforcement, DEA was something like $40 million during the past 2 years.

Mr. RANGEL. I am not making my question as clear as I want. I am talking about police chiefs, district attorneys, judges, penal institutions on the local and State level. We thank you for the way you have got the money out there. Would you join with Mr. Lane in saying the Attorney General supports that concept?

Mr. KEATING. The concept of continuing a working relationship.

Mr. RANGEL. Not working relationship, dollars and cents relationship, getting the bucks out there to give it tuck and fix assistance to our partners in fighting drugs, law enforcement, judges, wardens, the mayors, the governors, police chiefs. You got out the $200 million. Do you continue to support the concept which was revolutionary, signed by the President in October 1986? Maybe you don't know the answer. I don't have a problem with you. Maybe Jack Lawn knows. He is drug enforcement. You have the relationship with drug law enforcement. You have developed it over the years as FBI.

You know the problem we had in getting this legislation approved by the Attorney General. Do you believe now that the Attorney General would support legislative initiatives to continue to assist local and State law enforcement?

Mr. LAWN. Yes, sir, Mr. Chairman. I can tell you the Attorney General is very supportive of any support we can give to our State and local counterparts, to wit, in the last 2 years he has been supportive of our budget to increase the State and local task forces. We have increased from 35 to 58.

Mr. Rangel. That is money going to Justice. I am talking about money going to Justice for distribution to local and State. We never got approval by the Attorney General and even when the President signed the law, the Office of Management and Budget objected then and they cut out all the money for the following year. I know that you want to have a great working relationship, but I am talking about bucks, authorization, appropriations that is supposed to be for local and State. If you say yes, then it means that the Attorney General has reversed his position.

Mr. Lawn. No, sir. I am saying the Attorney General is supportive of our close working relationship.

Mr. Rangel. I am talking about dollars and you are talking about working relationships.

The last question I have has to do with Secretary Bennett. He said the national policy was zero tolerance and he did not believe there should be funds allocated for enforcement on the local and State level. He said it was not necessary and he thought it was a bad idea. Has he changed his mind?

Mr. Lennox. There was a Presidential proposal in September 1986 which pegged Education funding at $100 million. The bill was passed at $200 million. The President went back to $100 million. Right now we have $200 million. We have adequate funding. We are assisting States and local districts across the country. Unfortunately, many of them don't have the capacity to do that.

New York is one of them. Mr. Scheuer asked earlier if we could do anything to assist. I think maybe he could get New York going and maybe they could duplicate those magazines he was referring to.

Mr. Rangel. General Olmstead, this idea of arresting abusers, this committee has been impressed with the job the military has been able to do in education and prevention and rehabilitation. You have done more than the people outside the military, in my opinion. Do you support this concept of reducing demand by arresting the users?

General Olmstead. I feel we have to hold the user responsible for his actions. The circumstances you and I both discussed are a little different.

Mr. Rangel. I have been in the military. Court-martial is court-martial. When you arrest somebody in the military, you arrest them outside the military, I know what an arrest means, I am not a pediatrician. I want to make certain you know what is going on here. I am talking about arresting the user.

General Olmstead. If somebody commits a crime, he should be arrested.

Mr. Rangel. Does the military arrest their personnel when they are caught with possession of drugs and they are users?

General Olmstead. Yes, sir.

Mr. Rangel. Are you saying the policy of the military is to arrest users?

General Olmstead. I would have to hedge on the word "arrest."

Mr. Rangel. What would you like to use?

Dr. **Macdonald**. Could you use the word "discharge from the service"?

Mr. **Rangel**. You don't discharge them unless you fail to encourage them to stop using drugs. It is remarkable what the military has done. You have normally been a very conservative outfit. You really indicated that you grab them, you educate them, you give them two or three chances and then you kick them out, but you don't jail them.

General **Olmstead**. If they use drugs illegally, we will get rid of them administratively and if we find them in a criminal activity, then we will have the court-martial.

Mr. **Rangel**. I don't think the military arrests first-time drug abusers, and I think you are right in not doing it.

General **Olmstead**. We can handle it administratively or by court-martial.

Mr. **Rangel**. How do you arrest somebody administratively? When you find a way to do that, you let me know.

Mr. **Oxley**. Mr. Lane, it has always been a rule of thumb that seizures represent 10 to 15 percent of what is really coming across the border. Does that rule of thumb still apply?

Mr. **Lane**. It is typically used, something between 5 and 15 percent.

Mr. **Oxley**. Given 5 to 15 percent that we have had, that means that 85 percent of the drugs are entering this country without being seized? You gave a somewhat rosy scenario of what may happen in the next couple of years, based on what your agency is doing and others in interdicting the drugs.

Would you care to predict what percentage that might reflect in seizures sometime in the next couple of years?

Mr. **Lane**. In the development of the strategy process, the interdiction committee has come to believe that we can do a pretty good job in cocaine and marijuana, but we cannot do very well in heroin. That is a job that will have to be handled by other methods, either a combination of the international strategy and the investigative and the intelligence strategy.

Mr. **Oxley**. Let's talk about cocaine because that seems to be the drug of choice in this country. From your vantage point, given all the changes that have been made and the provisions for the airplanes, the balloons, and all the possibilities on the ground, as well as the air and sea, if everything goes as you want it to go in the next couple of years and things are really improving, do you have any guess as to what the percentage of seizures might be?

Mr. **Lane**. I think we can drive cocaine seizures up to about one-third.

Mr. **Oxley**. Then we can literally more than double?

Mr. **Lane**. We are going to commission some research on this about how far you have to push it before you are hurting the trafficker enough so that people will get out of the business and will stay out.

We are also going to review the process of estimates. I think we are seizing a larger percentage than 15 percent of the cocaine. The objective of the strategy is to push it that far so that people will start getting out.

Mr. **Oxley**. I was in Miami last weekend. The Miami Herald ran a series of articles about the drug situation particularly as it related to the Mettajin cartel.

During the time I was there, DEA announced a major seizure of assets owned by members of the Mettajin cartel. The U.S. attorney was on television saying this was a real crippling blow to the cartel, and this was a way to go after them, in their pocketbook.

Was that an encouraging sign or was it a lot of smoke?

Mr. **Lawn**. I don't believe it is smoke. I believe it is an encouraging sign. We have seen traditionally with the seizure of cocaine, that is the drug we have been talking about, that the organizations find the seizure of even a large amount as the price of doing business. Once we begin to incorporate the seizure of the illicit contraband and the seizure of their assets, then we know we are having an impact.

Last year DEA alone seized over $1 million a day from the trafficking organizations. Correspondingly, threats have gone up substantially against law enforcement worldwide. It is having a serious effect on the drug traffickers, on the Ochoa organization in particular.

Mr. **Oxley**. They showed on Miami television the seizure of fancy apartment buildings owned by the drug cartel, racehorses, farms, you name it. We used to think the seizures would only be speed boats or Porsches or whatever. This obviously has increased the stakes here as a result of your efforts. I want to congratulate you for that. I am glad to hear it is more than just smoke.

In terms of a case study, I was interested to read about articles that appeared about the 8,000-pound seizure in south Florida, the largest seizure yet. I was interested in what law enforcement has done on the technology side to make those kinds of seizures more readily accessible. And second, to the extent you can tell us, the role of informants in the whole process. Can you tell us how that case developed, perhaps your cooperation with other representatives here at the table and how that came about? I think it is important for the public to understand how that nitty-gritty kind of thing works. It is great to talk about the great ideas and about agreements with Mexico and so forth. Since C–Span is covering this, I think it is important to talk about the real guts of this operation, what you people do on a daily basis and perhaps using this as a case study for it.

Mr. **Lawn**. I will have to be vague because the investigation is ongoing. There are agencies sitting at this table which were actively involved in the development of that information and in the reaction to that information. The U.S. Customs Service very recently has initiated a computerized cargo program. When the information was developed and turned over to the Customs Service they ran their computer looking for a shipment entering the United States that fit the information that had been developed. As a result, they were able to target a shipment that had just arrived. The review of the computer information showed them that a like shipment was also either in place or was coming the next day. Both shipments did contain cocaine and it was as a result of the efforts by three agencies sitting at this table that these seizures were made.

Mr. **Oxley**. How did you develop this information? Obviously, you are looking for some kind of pattern here. Is that what happens?

Mr. **Lane**. I would like to say that this seizure is a direct outgrowth of the National Drug Policy Board System.

Mr. **Oxley**. Is this the first major seizure under that system?

Mr. **Lane**. It is the largest. There have been others. This is the most directly attributable to that process. I say that for this reason: When the Land Subcommittee was formed under the Interdiction Committee, the representative from DEA met with the chairman, Customs Assistant Commissioner, Sam Banks, to talk about our system so that the DEA would be more familiar with their system.

The DEA intelligence people were amazed at the capabilities we had for entering information on commercial computerized shipments into our systems, that we could do it by commodity type, we could do it by shipper or manufacturer. They said give us some time. We want to go back and look at our files to find out what information it is that you can take to put into your system and have it available all over the United States.

That is exactly what happened. The information came to us by some very alert DEA intelligence analysts. It was entered into our system in every way we could think of, by manufacturer, by importer, by broker, by commodity, by container number. One of those things was a hit. The inspectors went in. It was supposed to be a shipment of furniture. They drilled it, went through it and didn't find anything. They went through five levels of boards. Finally, in the sixth layer, they found these kilo packages. DEA provided some subsequent information. We updated our system and went out and found out that all the parties to this had another shipment coming through from the same country to the same party.

We may have potentially found this shipment without this system. But I lay it right on the Policy Board, Interdiction Committee, and Land Subcommittee.

Mr. **Oxley**. How does that work? Do they have to have search warrants? In this situation of furniture cargo, they don't go in and start searching or drilling holes in the furniture? They have to have a legal right to do that; correct?

Mr. **Keating**. No, Congressman. Within the Customs territory, before a shipment leaves the port area, which I think is just as good an example as any, the Customs Service has the authority to search a shipment to make sure it doesn't contain contraband or, say, if it is a textile shipment, to make sure that it is properly marked or that it doesn't contain contraband, or, if it is a shipment of manufactured goods, that in fact it is from the country it is supposed to be from.

Customs has the authority to look for contraband and to seize contraband that it finds. This is a tremendous authority. That is one reason, on the southwest border, we gave this title 19 Customs authority, on a limited basis, but nevertheless, gave it to some 2,000 Border Patrol agents to get them in a position legally within the Customs area to provide not only their expertise in searching for illegal aliens, but also the legal expertise we can provide through the Customs laws to search for narcotics and other contraband.

Mr. **Oxley**. Mr. Lawn.

Mr. **Lawn**. To follow up, the seizure was a most important seizure. Since the seizure has been effected, investigation has continued, in the transhipment country, the source country, and it has continued in the United States. It will be an interesting story when it is able to be told.

Mr. **Oxley**. The Chairman indicated his interest in helping local and State law enforcement officials. To what extent does the agency provide training for State and local officials in the drug area?

Mr. **Lawn**. We have traditionally provided that training. I can't recall the numbers of State and local officers we trained last year. It is a substantial number. We have organized them into a national association of drug enforcement agents. I meet with them at least once a year to discuss mutual strategies and their problems. In addition, thanks to the Anti-Drug Abuse Act of 1986, we in DEA were given authority to cross-designate State and local officers with title 21, DEA jurisdiction.

Today we have 4,400 such State and local officers around the United States who are, in fact, DEA personnel working on the drug enforcement effort. So, the Anti-Drug Abuse Act, even in that regard, has been very effective.

Mr. **Oxley**. What kind of training did those 4,400 people have?

Mr. **Lawn**. Prior to the cross-designation, all were given drug training by DEA.

Mr. **Oxley**. Was that done in Quantico or somewhere else?

Mr. **Lawn**. Partly in Quantico. One of the problems we are facing with the training facility in Quantico is that so many DEA and FBI agents have come aboard that most of the training that is not new training has to be done at other facilities which is a costly problem because we have to look for a new facility.

Mr. **Oxley**. I notice they are building a new dorm down at Quantico, maybe they can take care of some more people when that is completed. I hope so. Does the police officer training at Quantico contain any instruction in drug investigations?

Mr. **Lawn**. Yes, sir. Beginning 2 years ago, the curriculum of the National Academy included drug education, education on drug enforcement.

Mr. **Oxley**. Thank you.

Mr. **Rangel**. Mr. Guarini.

Mr. **Guarini**. Mr. Lane, I can understand the frustrations you must have with a 2,000-mile border. Customs is doing a wonderful job, there is no question about that. With the balloons, AWACS-type planes, there is perhaps more patrol on the border than we have had before. I note also a considerable cut in the Customs personnel. The President signed a bill in 1987 for $1.029 billion. His request came in about $150 million short, which I think was 2,000 less personnel than we thought we would have in Customs.

That has been restored by the House and the Senate with their budget reports. With all the new things that you are doing there, do you feel the cutback or request by the President in unrealistic, especially if you are concerned about how much is getting through the border?

Mr. LANE. Congressman, our staffing and budget right now is higher than it has ever been. I understand that we are going to do quite well in 1988. Maybe we will do somewhat better under the Senate version than under the House version, but they would both probably be better, each of them, than the administration request. The final outcome will be that we will be a little better than we are now. That is a pretty healthy situation.

Mr. GUARINI. There was some question about how much drugs are getting through the border. We are concerned about whether we have a higher percent or a lower percent because that is what goes on our streets throughout our Nation. If you know that cocaine prices are lower than they have ever been and if you know that the purity of these cocaine products is higher, wouldn't that suggest to you by the law of supply and demand that there is more stuff on our streets and more getting through the border than we have ever had before?

Mr. LANE. Yes.

Mr. GUARINI. So the arbitrary numbers you assign as to what you can intercept or not intercept, whether it is 5 or 10 or 15 percent, are really meaningless because the bottom line is how much do we have in our cities throughout our country. So that you admit that no matter how good a job that you are doing, no matter how much personnel or equipment you have on the border today, that there is still more and more getting through because you have purer and cheaper drugs on our streets.

Mr. LANE. That is correct.

Mr. GUARINI. Thank you.

Mr. RANGEL. Mr. Dion, when I was talking about some of the things in the 1986 bill to see whether or not the Cabinet officers would support it, I know traditionally Secretary Shultz as well as the Attorney General have found legislative sanctions against countries that were not cooperating with our effort to stop production. They have publicly indicated that they opposed sanctions. I guess you are familiar with those statements of Secretary Shultz. Do you know if they have changed their minds as a result of the law that was passed?

Mr. DION. I don't know that I can speak for the Secretary of State, but I can speak for the Bureau of International Narcotics Matters and that certification process included in the Drug Abuse Act has been a most effective tool in our negotiations with other governments regarding narcotics control and eradication.

Mr. RANGEL. We have always had people in the State Department say they supported what the Congress is doing, but we have found difficulty in getting the Secretaries of State to support what you are doing.

Mr. DION. I am not sure that is so. There was a long list of individual sanctions imposed against a certain country, saying if country X doesn't do "Y" within the next number of days, then the roof falls in.

Mr. RANGEL. Right.

Mr. DION. The Anti-Drug Abuse Act of 1986 established a procedure for treating all nations that had a drug production, transit, trafficking, money-laundering relationship equally and has made it possible for us to approach these governments and urge them to work to avoid the sanctions that are the same for all countries.

Mr. **Rangel**. I am glad to hear you say that. I think diplomatically you support our efforts, even though, I guess, you have difficulty in saying these sanctions were welcomed by the State Department.

In any event, since we are going to statements attributed to the Administration, I have something here attributed to Secretary Ann Wrobliski where she said,

> If politicians were willing to place sanctions on foreign governments, then the Administration ought to look at sanctions on United States' cities and States that have not dealt with their own drug problem.

The reporter thought that she might have been referring to Mayor Koch and to me.

> I would like to talk to Mayor Koch about sanctioning New York for its failure to regulate drug paraphernalia, or establishing enough treatment centers. Politically, it is very easy to sit behind your desk in New York or Washington and kick around the Third World

she added.

Are those statements familiar to you?

Mr. **Dion**. They are familiar: yes, sir. They are somewhat out of context. If you would allow me to, I would read to you from the speech she gave in Atlanta on that topic.

It says,

> Certification is a useful tool to persuade other governments to cooperate on narcotics control issues. The threat of losing foreign assistance is often a significant factor in increased cooperation. Perhaps more effective is the stigma that non-certification carries in the international community.
>
> However, as we consider the implications of the certification process, we must understand that we too have obligations to international narcotics control. A foreign official gave me a new understanding of our sanctions and the certification process when he asked me if our Federal assistance to States was contingent upon their performance on the narcotics issue.
>
> He reasoned that if Federal highway funds were granted on the basis of a State's compliance with the 55-mile-an-hour speed limit, why shouldn't the United States withhold Federal assistance if the State did not eradicate a marijuana crop or did not arrest and convict major drug traffickers, or was unable to stop drug trafficking within its borders?

Mr. **Rangel**. I certainly support that concept. I am glad to hear that. I am glad Mayor Koch was not included. I am sorry I was not.

Mr. Gilman.

Mr. **Gilman**. What are we doing about domestic production? It has been going up. We now have probably one of the greatest exports of marijuana from California and some other States. What are we doing about it?

Mr. **Keating**. Some months ago one of your colleagues in the House mentioned the—he mentioned the Hawaiian problem. He wanted to know what DEA is doing about marijuana production. I said, as former State senator, I would like to know what the States are doing about their marijuana production and eradication within their borders. There is in many cases not enough activity on the parts of State governments and local governments to do something about the growth of marijuana within their borders.

That is something that needs to be addressed. That is something we are addressing, the Drug Policy Board, by bringing together the DEA that does have a number of programs on line and in place right now, as well as the Department of the Interior and the Department of Agriculture for the purpose of a joint operation with the States to do something about that 20 percent of the marijuana which is consumed in America and grown in America.

A number of initiatives in the past have been successful, but the realities are the States, in my judgment, have not done enough.

Mr. **Gilman.** I would hope you are addressing that problem. It certainly needs addressing. The last national effort I recall was more than a year ago when the Attorney General announced a major national effort at eradication and indicated the number of plants that were pulled up in each State and where the growth was, but I don't recall seeing any major national leadership since that time, and, yes, it is all well and good to point the fingers to the States, but I think we do have the national responsibility to pave the way and to help once again provide the resources.

Mr. **Keating.** As I have indicated on the public lands, namely Department of Agriculture lands and Department of Interior lands, the national parks, the national forests, we have a very real problem and under the leadership of the board, we have a structure in place under Jack Lawn's leadership to bring together those two departments for an action plan, which is underway at this time.

Mr. **Lawn.** If I could add to the commentary, the domestic eradication program is alive and well, and within the next 30 days we will have a report up to you on the effectiveness of the campaign of the fiscal year just concluded. You are absolutely right, the quality of marijuana in the United States is the best in the world. We have now taken over the leadership in sensemillia. While we are not producing all of the marijuana that we consume, the quality product that we are growing in the United States is now considered to be the best in the world, and that is a tragedy.

Mr. **Gilman.** I am sure we can find better ways of taking care of the trade imbalance, and we appreciate the fact you are giving it attention.

I would like to address a question to Dr. Macdonald. When Congress enacted and the President signed into law the Anti-Drug Abuse Act of 1986, we created the Office of Substance Abuse Prevention, OSAP, which was intended to be a highly visible office and, among other things, would sponsor regional workshops. This office was meant to coordinate the findings of drug-related research, develop effective drug and alcohol abuse prevention literature, and in cooperation with the Secretary of Education assure the widespread dissemination of prevention materials among State and local governments and among the school systems, support programs of clinical training of substance abuse counselors, develop education materials to reduce the risk of AIDS among IV drug abusers, conduct training, technical assistance, data collection of evaluation activities, and programs supported by the legislation, and support the development of model innovative community-based programs to discourage substance abuse among youngsters, to prepare for the distribution of documentary films and public service announcements for television, radio, and educate the public on the dangers of drug abuse, to establish a clearing house for the dissemination of information on alcohol and drug abuse and provide grants on a prevention treatment and rehab of model projects for high-risk youngsters and evaluate the projects conducted with grant funds.

I have been told some people in the Alcohol, Drug Abuse and Mental Health Administration are considering transferring some of the functions of OSAP to the National Institute on Alcohol Abuse and Alcoholism, to the National Institute on Drug Abuse, and to the National Institute of Mental Health, essentially eroding what we tried to create by bringing it all together under one roof.

Would you please comment on those reports, and I would like to know whether there is within the Department of Health and Human Services people who are planning to dismember OSAP or planning to transfer some of those functions to these other institutes, thereby undermining the capability of OSAP to carry out the mission that Congress assigned to them of helping to raise the consciousness of the public to the dangers of drug abuse. That certainly wasn't the intent of the Congress.

Dr. **Macdonald**. That is a large order, Mr. Gilman.

Mr. **Gilman**. I don't think it is a large order.

Dr. **Macdonald**. Let me respond to it in a couple of ways. OSAP has had a very good first year. You know it is less than a year old, and in terms of the functions you have talked about, they are performing very well. Some of those functions were taken out of OSAP almost immediately. The issues concerning AIDS we felt were more appropriately handled within the Centers for Disease Control and NIDA budgets and were moved, accordingly. The clearinghouse is currently coming on line, and there is no intention of moving the clearinghouse.

The issue of support for community projects is currently ongoing. What we are looking at in the National Drug Policy Board and elsewhere is better ways to get things done so that you will hear any number of possibilities being discussed. There is no plan at this time to implement any of the suggestions that you have talked about.

Mr. **Gilman**. So then we can rest assured you are not going to dismember OSAP or transfer any of those important functions——

Dr. **Macdonald**. Right, with the exception of the AIDS programs I mentioned and of looking to tie demonstration grants more closely to research. I will keep you personally posted on this. All I can say about organizational issues is that we are looking at everything on a regular basis.

Mr. **Gilman**. We appreciate that.

Dr. **Macdonald**. You will see OSAP here next year.

Mr. **Gilman**. Let me get to another oversight responsibility. How much of the funds that were allocated last year and over the past year have now been distributed to the States? If each of our agency people can just give me a percentage figure of the funds that were authorized and appropriated, how much of those, what percentage has now been distributed to the States? Mr. Lennox.

Mr. **Lennox**. Sir, all of our funds—I take it you are referring to the State and local programs.

Mr. **Gilman**. All of the drug programs we authorized.

Mr. Lennox. All of the State moneys are out to the States, both to the Governor and State agency. Out of the total of $203 million, we have expended $197 million, and by the end of the calendar year, we expect all $203 million to be expended.

Mr. Gilman. By the end of what calendar year?

Mr. Lennox. This calendar year. We are in negotiations. The major project not accounted for is an audio-visual competition that Representative Coughlin sponsored, and that is in negotiation right now, as I mentioned.

Mr. Gilman. So we in New York can now look to our Department of Education in New York and say, "All of the money we authorized and appropriated is in your department, now what are you doing with it?" Is that right?

Mr. Lennox. That is correct, sir, as of September.

Mr. Gilman. You raised an issue about New York. What is the problem with New York State?

Mr. Lennox. In I think it was February, New York initially sent in its proposal. It was not in compliance with the law. There were problems; we provided technical assistance; we worked with them; Senator D'Amato gave us assistance; and finally their application came in in September. They should have the applications ready for the local education agencies, and I believe they were sent the first of this month. So I am expecting New York funds to get down to the LEAs shortly.

Mr. Gilman. So New York funds have not been distributed yet?

Mr. Lennox. New York funds have been distributed to New York. Now it is a matter of getting it from the State down to the local districts.

Mr. Gilman. Mr. Lawn, have all of the funds that have been allocated for your agency gotten out to where it should be?

Mr. Lawn. DEA does not have grant authority. We do not have any funding other than the asset fund to share with State and local police agencies.

Mr. Gilman. Mr. Lane, Customs?

Mr. Lane. The same.

Mr. Gilman. Mr. Keating, what about all the funds for your agency?

Mr. Keating. I have the figures on the drug law enforcement funds.

Mr. Gilman. Just tell me what percentage has gone out to the States.

Mr. Keating. As of November 23, all awards have been made except five: those to Arkansas, Louisiana, New Mexico, Puerto Rico, and West Virginia. The application for Puerto Rico is under review, the other four applications have not been received. To date, $163 million of the $178 million available from fiscal year 1987 funds have been distributed.

As to New York, that figure is $11,539,000 with an anticipation of 61.73 percent of those funds to go to the local jurisdiction. The funds have been distributed to New York awaiting distribution.

Mr. Gilman. Thank you. Dr. Macdonald, are you responsible for any allocation of the funds?

Dr. Macdonald. Yes, sir. The treatment funds and the OSAP money have all been allocated. The research money has been obligated. The supplement funds for rehabilitation and treatment has all been awarded.

The question you maybe asking is how much of that money has been down? In other words, why is it that only 16.23 percent of the total has been drawn down by the States. We have awarded it, but they can't draw down on it until they spend it.

Mr. GILMAN. So they have effectively used only 16 percent, but they have it all in their treasuries, is that right?

Dr. MACDONALD. I think it is all available to their treasuries. It is available to them once they make commitments to spend it.

Mr. GILMAN. It is no delay on your part.

Dr. MACDONALD. Absolutely not.

Mr. GILMAN. Depending upon their application.

Dr. MACDONALD. No, their applications have already been approved. All they have to do is spend the money, and then they are reimbursed for it. They are just not spending it yet.

Mr. GILMAN. Mr. Dion.

Mr. DION. We have no domestic responsibility.

Mr. GILMAN. Admiral Robbins, no responsibility by the Coast Guard.

Mr. Keating, can you tell us, are there any other agencies that have responsibility for distributing any of the funds under the 1986 act that you may be aware of?

Mr. KEATING. Not that I am aware of. I will be happy to check and provide your office with that information.

Mr. GILMAN. Now just one other question, Mr. Keating. The number of projects and the dollar amounts that were received by municipalities, can you tell us for the record how many of those were with regard to the discretionary grants I am talking about under the Bureau of Justice Assistance? I guess there is $44 million, all of which, with the exception of some $12,000 has been funded. How many of those projects were to municipalities of less than 100,000 in population? Would you have that information with you?

Mr. KEATING. I have information available, Congressman, but I am not in a position to know what the size of the community is.

Mr. GILMAN. Could you provide that? We would like to know how many went to communities of 100,000 to 299,000 and 300,000 to 599,000 and 600,000 to 999,000 and above a million so that we can see how the moneys have been allocated across the Nation.

Mr. KEATING. This is on the discretionary side.

Mr. GILMAN. On the discretionary projects. I would ask the chairman when that is submitted if it can be made part of the record. Would that be made part of the record, Mr. Chairman?

Mr. RANGEL. Yes, without objection.

[The information referred to appears on p. 150.]

Mr. GILMAN. Thank you, Mr. Chairman. I thank the panelists for being with us today.

Mr. RANGEL. Let me thank the panel. We had hoped to have the Cabinet officers, but I want to thank the Attorney General for his foresight in suggesting that we try this process. We had sent invitations to the Secretaries asking for review of the 1986 act so that they could make legislative recommendations. Since we have reached the close of the first half of this 100th Congress, we will send out notices asking the prospective officers to take a view of what has happened and see if they can make recommendations to the Congress to correct or improve.

My apologies go to the Secretary of Education as relates to the resistance of the moneys appropriated by the Congress. It is my recollection that the Secretary consistently opposed any Federal funds for educational process until after we passed our bill, and at that time a recommendation of $100 million was made by the Secretary and ultimately that was the amount that was approved. It just seems to be my independent recollection each time he testified in front of this committee that he resisted any Federal funds for local and State efforts.

Mr. LENNOX. Sir, the point he is making is it takes comprehensive programs at the local level, it takes the commitment of the local people.

Mr. RANGEL. I agree with him 110 percent. I was only talking about the dollars because I was trying to get a seat at the White House at the time the Secretary made that proposal, and while I didn't get the seat, we did get the $100 million, and I just would like to know from the Secretary whether he thinks that money has been used effectively or whether or not it is just patronage or whether or not it was thrown out there and no good has come from it.

Mr. LENNOX. We are going into an evaluation process right now.

Mr. RANGEL. Exactly.

Mr. LENNOX. We will be able to tell you how many of those comprehensive programs result.

Mr. RANGEL. And we hope the Attorney General may take a look and see whether or not State and local law enforcement have used this money to substitute for things they should not have. Have there been additional programs, have we seen more accountability? And, certainly, Doctor, as relates to rehabilitation and prevention, the Secretary of Health should know whether or not local and State governments just substituted Federal dollars for their tax levy money so that we will know and be guided by these decisions, and we will send that out.

Incidentally, is the Vice President still a player in this law enforcement effort? I didn't see any special slot for the copilot in this.

Mr. KEATING. The copilot is very much firmly at the controls. south Florida is, as you know, his special preserve. He played a very active leadership role in the establishment of the south Florida task force. He is still very active in the National Narcotics Border Interdiction System [NNBIS]. NNBIS is a very vital player as we go to the Department of Defense seeking defense assets to distribute.

Mr. RANGEL. I am certainly glad to hear that. I hope none of you believe our criticism has anything to do with your departments or agencies. We really know they are dedicated people out there doing the best they can with the framework that they have to work with. Our role is to try to make certain that we get a comprehensive policy and program that the Congress and the executive branch can support.

I am pleased, Mr. Keating, Mr. Chairman, with your response that this Drug Policy Board, while it has been created at the eleventh hour, is something that might be suggested for administrations to follow. It is that type of thinking that certainly this committee would support, because we hate to put partisan labels on any of our national or international efforts as we try to combat this.

If there are replies or remarks that you would want to have made and neglected to make, the record will be kept open for that purpose, and I thank you for your attendance.

Mr. Gilman.

Mr. **Gilman**. I want to join in thanking all of the agency heads for taking the time to be with us today, and I think we all have the same goals in mind. It is our approach that may vary from time to time. I think what we are all seeking is how to more effectively reduce the supply, reduce the demand, and get a handle on a very critical problem.

Thank you, Mr. Chairman.

Mr. **Rangel**. Anybody seeking recognition? Thanks again.

The committee stands adjourned.

[Whereupon, at 1:35 p.m., the select committee was adjourned.]

PREPARED STATEMENTS

OPENING STATEMENT

OF THE

HONORABLE CHARLES B. RANGEL

CHAIRMAN

SELECT COMMITTEE ON NARCOTICS ABUSE AND CONTROL

OVERSIGHT HEARING ON THE ANTI-DRUG ABUSE ACT OF 1986

AND THE

FEDERAL DRUG STRATEGY

TUESDAY, DECEMBER 8, 1987

GOOD MORNING.

AT A PRESS CONFERENCE SEVERAL WEEKS AGO, WE ANNOUNCED THAT THE SELECT COMMITTEE WOULD CALL KEY CABINET OFFICIALS TO TESTIFY BEFORE US ON THE STATUS OF OUR NATION'S WAR ON DRUGS A YEAR AFTER ENACTMENT OF THE ANTI-DRUG ABUSE ACT OF 1986.

WE WANTED TO ASK THEM ABOUT THE IMPLEMENTATION OF THIS HISTORIC ACT, AND ON A BROADER SCALE, WE WANTED TO FIND OUT JUST WHAT THE ADMINISTRATION'S STRATEGY FOR NARCOTICS CONTROL WILL BE FOR THE REMAINDER OF PRESIDENT REAGAN'S TERM.

THIS ADMINISTRATION HAS EMPHASIZED REPEATEDLY THAT ANTI-DRUG EFFORTS ARE A TOP PRIORITY CONCERN. UNFORTUNATELY, NONE OF THE CABINET SECRETARIES WE INVITED HAS ACCEPTED OUR INVITATION TO TESTIFY. INSTEAD, THE ATTORNEY GENERAL, RESPONDING TO OUR REQUESTS IN HIS CAPACITY AS CHAIRMAN OF THE NATIONAL DRUG POLICY BOARD, OFFERED TO DESIGNATE A PANEL OF SUBORDINATE OFFICIALS TO APPEAR.

WE ARE PLEASED, NONETHELESS, TO WELCOME THIS PANEL TODAY AS A FIRST STEP IN OUR EFFORTS TO DETERMINE THE CURRENT STATUS OF THE FEDERAL DRUG STRATEGY. ALL THE WITNESSES TODAY ARE AT THE FOREFRONT OF ADMINISTRATION ANTI-DRUG EFFORTS. WE LOOK FORWARD TO THE PANEL'S TESTIMONY, AND WE HOPE YOU WILL BE ABLE TO ANSWER THE MANY QUESTIONS WE HAVE.

FIRST OF ALL, WE WANT TO FIND OUT WHAT HAS BEEN ACCOMPLISHED UNDER THE ANTI-DRUG ABUSE ACT, WHAT REMAINS TO BE DONE, AND WHAT, IN RETROSPECT, NEEDS TO BE CHANGED?

MORE IMPORTANTLY, WE WANT TO KNOW WHAT IS BEING DONE TO PUT IN PLACE THE KIND OF COMPREHENSIVE ANTI-DRUG STRATEGY ENVISIONED IN THE ACT?

WHAT IS THE FEDERAL STRATEGY FOR REDUCING THE EVER INCREASING PRODUCTION OF ILLICIT NARCOTICS CROPS ABROAD? WHAT IS THE PRIORITY OF INTERNATIONAL NARCOTICS CONTROL EFFORTS IN OUR OVERALL FOREIGN POLICY?

WHAT IS THE FEDERAL STRATEGY FOR PROTECTING OUR BORDERS AGAINST THE GROWING ONSLAUGHT OF ILLICIT DRUG TRAFFIC? WHAT IS THE ROLE OF THE MILITARY AGAINST THIS SERIOUS THREAT TO OUR NATIONAL SECURITY?

WHAT IS THE FEDERAL STRATEGY FOR DRUG LAW ENFORCEMENT? HOW ARE WE RESPONDING TO THE OVERWHELMING BURDENS ON STATE AND LOCAL CRIMINAL JUSTICE AGENCIES CREATED BY OUR NATIONAL DRUG EPIDEMIC?

WHAT IS THE FEDERAL STRATEGY FOR DRUG ABUSE TREATMENT AND REHABILITATION? WHAT IS OUR PLAN TO ADDRESS THE UNMET NEEDS FOR DRUG ABUSE SERVICES THAT EXIST THROUGHOUT OUR COUNTRY? HOW ARE WE RESPONDING TO INCREASED DEMANDS FOR TREATMENT AS A RESULT OF AIDS AND "CRACK" COCAINE?

WHAT IS THE FEDERAL STRATEGY FOR DRUG ABUSE EDUCATION AND PREVENTION? WHAT IS BEING DONE TO HELP OUR SCHOOLS MAKE THE BEST USE OF FUNDS CONGRESS IS PROVIDING UNDER THE ANTI-DRUG

ABUSE ACT? WHAT IS THE FEDERAL GOVERNMENT DOING TO MOUNT EFFECTIVE NATIONAL DRUG ABUSE PREVENTION EFFORTS?

AND WHAT IS BEING DONE TO PROVIDE THE BUDGETARY RESOURCES FOR EFFECTIVE IMPLEMENTATION OF THE ANTI-DRUG PROGRAMS PASSED BY CONGRESS AND SIGNED INTO LAW BY THE PRESIDENT?

THESE ARE THE ISSUES WE WANT TO EXPLORE TODAY. BEFORE HEARING FROM OUR PANEL, I YIELD TO ANY MEMBERS OF THE COMMITTEE WHO MAY WISH TO MAKE OPENING REMARKS AT THIS TIME.

STATEMENT OF THE

HONORABLE BENJAMIN A. GILMAN

RANKING MINORITY MEMBER

SELECT COMMITTEE ON NARCOTICS ABUSE AND CONTROL

HEARING

ON

OVERSIGHT OF THE ANTI-DRUG ABUSE ACT OF 1986 AND THE FEDERAL DRUG STRATEGY

TUESDAY, DECEMBER 8, 1987

THANK YOU, MR. CHAIRMAN. FIRST I WANT TO COMMEND YOU FOR CALLING THIS IMPORTANT HEARING, AS WELL AS TO WELCOME OUR DISTINGUISHED WITNESSES FOR BEING WITH US TODAY.

A LITTLE OVER A YEAR AGO PRESIDENT REAGAN SIGNED INTO LAW THE MOST COMPREHENSIVE ANTI-NARCOTICS LEGISLATIVE PACKAGE EVER CONSIDERED OR PASSED IN THIS NATION'S HISTORY. THE ANTI-DRUG ABUSE ACT OF 1986 WAS A MULTI-FACETED LEGISLATIVE PACKAGE DESIGNED TO ATTACK THE DUAL PROBLEMS OF BOTH THE SUPPLY OF AND DEMAND FOR ILLICIT NARCOTICS. ILLICIT DRUG PRODUCTION, TRAFFICKING AND ABUSE HAVE REACHED EPIDEMIC PROPORTIONS ON A GLOBAL SCALE. TO RESPOND TO THIS THREAT, THE CONGRESS, IN A SPIRIT OF BI-PARTISAN COOPERATION PASSED INTO LAW A FIVE-PRONGED ATTACK ON THE DRUG MENACE COMPRISING INCREASED SUPPORT FOR OUR INTERNATIONAL NARCOTICS CONTROL PROGRAMS; INTENSIFIED INTERDICTION EFFORTS, FEDERAL SUPPORT FOR STATE AND LOCAL ENFORCEMENT EFFORTS, FEDERAL SUPPORT FOR THE CREATION OF DRUG EDUCATION PROGRAMS IN OUR NATION'S SCHOOLS AND INCREASED SUPPORT FOR MUCH NEEDED DRUG TREATMENT AND REHABILITATION.

WE FULLY RECOGNIZE THAT THERE IS NO QUICK FIX TO THE PROBLEMS IN COMBATTING NARCOTICS TRAFFICKING AND DRUG ABUSE AND THAT IT WILL TAKE TIME AND PATIENCE TO ACHIEVE VICTORY OVER THE DRUG TRAFFICKERS. WE MEET HERE TODAY TO DETERMINE WHAT PROGRESS HAS BEEN MADE IN ACHIEVING THAT GOAL. WHILE I LOOK FORWARD TO YOUR TESTIMONY AND THE DISCUSSION THAT WE WILL HAVE, I MUST

ADMIT THAT I HAVE NOT BEEN OVERLY ENCOURAGED WITH THE IMPLEMENTATION OF THE ACT TO DATE. THIS LACK OF ENCOURAGEMENT IS GENERATED BY A NUMBER OF FACTORS.

THE FISCAL YEAR 1988 BUDGET REQUEST SUBMITTED TO THE CONGRESS SHORTLY AFTER THE SIGNING OF THE ANTI-DRUG ABUSE ACT PROPOSED TO REDUCE, AND IN SOME CASES TOTALLY ELIMINATE, POLICIES AND PROGRAMS WHICH IT CREATED. FEDERAL FUNDING SUPPORT FOR DRUG EDUCATION PROGRAMS IN OUR NATION'S SCHOOLS WERE REDUCED FROM THE $250 MILLION AUTHORIZED IN FISCAL YEAR 1987 TO ONLY $100 MILLION IN FISCAL YEAR 1988. IN VIEW OF THE INCREASING EVIDENCE THAT EDUCATION IS THE KEY TO REDUCING DEMAND FOR DRUGS IN THIS NATION WHILE AT HE SAME TIME PROVIDING OUR GOVERNMENT WITH A VITAL TOOL IN WORKING WITH FOREIGN GOVERNMENTS TO REDUCE PRODUCTION, THE ADMINISTRATION'S PROPOSED BUDGET CUTS COULD SEVERLY HAMPER OUR EDDORTS TO COMBAT DRUG TRAFFICKING AND DRUG ABUSE.

IN TERMS OF DRUG ABUSE TREATMENT, NO ADDITIONAL FUNDS WERE REQUESTED FOR FISCAL YEAR 1988, AND FUNDS FOR THE ALCOHOL, DRUG ABUSE AND MENTAL HEALTH BLOCK GRANT PROGRAM WERE FROZEN AT THE 1987 LEVEL.

IN TERMS OF OUR INTERDICTION CAPABILITY, THE ADMINISTRATION'S BUDGET PROPOSED TO ELIMINATE 1,998 POSITIONS FROM THE U.S. CUSTOMS SERVICE, AND A $32 MILLION REDUCTION IN ITS AIR INTERDICTION PROGRAM.

FINALLY, THE ADMINISTRATION'S BUDGET PROPOSED TO ELIMINATE THE STATE AND LOCAL NARCOTICS CONTROL ASSISTANCE PROGRAM CREATED BY THE ANTI-DRUG ABUSE ACT, AFTER $225 MILLION HAD BEEN PROVIDED TO STATE AND LOCAL LAW ENFORCEMENT AGENCIES UNDER PROVISIONS OF THE ACT IN FISCAL YEAR 1987.

SUCH ACTIONS DO NOT SUPPORT THE STRONG VERBAL COMMITMENT GIVEN BY THE PRESIDENT THE DAY HE SIGNED THE BILL INTO LAW. SIMPLY STATED THAT VERBAL COMMITMENT MUST BE TRANSLATED INTO CONCRETE ACTION.

WE MEET TODAY TO DETERMINE WHAT THE ADMINISTRATION HAS DONE, WHAT IT IS PLANNING TO DO TO FULLY IMPLEMENT THE ANTI-DRUG ABUSE ACT OF 1986, AND WHAT RESOURCES IT PLANS TO COMMIT TO THIS EFFORT. WE CANNOT AFFORD FURTHER DELAY. DRUG PRODUCTION IS INCREASING; SUPPLIES ARE UP AND PRICES ARE DOWN DESPITE OUR EFFORTS TO DATE. IT IS OBVIOUS THAT MORE NEEDS TO BE DONE, AND I TRUST THAT WE WILL DISCOVER TODAY WHAT THOSE INCREASED EFFORTS WILL BE.

THANK YOU, MR. CHAIRMAN.

STATEMENT OF
HONORABLE JAMES H. SCHEUER
SELECT COMMITTEE ON NARCOTICS ABUSE AND CONTROL

One year ago, many of us on the Select Committee had high hopes that the Anti-Drug Abuse Act of 1986 would provide a much-needed financial shot in the arm for national efforts to combat drug abuse.

But our hopes were short-lived when the Reagan Administration issued its 1988 budget proposal which cut nearly $1 billion dollars from the $2.7 billion authorized by the act.

In essence, an Administration which urged our nation to "Say No to Drugs" decided to "Say No to Drug Funding."

No one believed that the Anti-Drug

Abuse Act would be a cure-all against the epidemic of drug abuse that has permeated every nook and cranny of our nation.

But it was a first step toward reducing the demand for drugs among our nation's youth through drug education and treatment, while stepping up programs aimed at drug trafficking.

The War on Drugs is too important to our nation's future to fall victim to bad planning, budget cuts, or partisan politics.

To date, the White House has failed to provide the needed leadership to develop, coordinate and implement a national strategy.

It appears our only hope in the near

term is that the next President will put his money where his mouth is and support the funding needed to deal effectively with our rampant drug abuse problem.

We need a President who realizes that we will never be able to stop the supply of drugs unless we can quell the demand among our citizens.

We need a President who will support a coordinated and comprehensive education program involving our schools, our churches, our political and community leaders, parents and other concerned citizens to convince our children that drug abuse means trouble, despair, and even death.

The Anti-Drug Abuse Act called for $250 million in FY 88 for drug education efforts, but the Reagan budget proposal slashed the funding by 60 percent -- to a mere $100 million.

I applaud Chairman Rangel's efforts to get the Presidential candidates on record on how they would handle the drug abuse issue.

I also look forward to a series of hearings with Cabinet level officials so we can learn from their mistakes and help the next Administration in an effective War on Drugs.

I am sorry to have to say it, but I'm afraid that all we can expect from the current Administration's War on Drugs is lip service.

TESTIMONY
OF
FRANCIS A. KEATING, II
ASSISTANT SECRETARY OF THE TREASURY (ENFORCEMENT)
NATIONAL DRUG POLICY BOARD
ACTING CHAIRMAN, DRUG ENFORCEMENT COORDINATION GROUP
BEFORE
THE SELECT COMMITTEE ON NARCOTICS ABUSE AND CONTROL
ON
DECEMBER 8, 1987
REGARDING
NATIONAL DRUG POLICY BOARD RESPONSE
TO THE WAR ON DRUGS

MR. CHAIRMAN, I AM PLEASED TO APPEAR BEFORE YOU TODAY ON BEHALF OF THE NATIONAL DRUG POLICY BOARD REGARDING THE STATUS OF FEDERAL DRUG CONTROL PROGRAMS ONE YEAR AFTER THE ANTI-DRUG ABUSE ACT OF 1986 WAS ENACTED. WITH ME TODAY IS DR. MACDONALD, DIRECTOR OF THE NATIONAL INSTITUTE OF DRUG ABUSE WHO WILL SPEAK TO THE DRUG PREVENTION AND HEALTH ISSUES AS WELL AS A PANEL OF WITNESSES AS REQUESTED BY YOUR COMMITTEE. I WILL GIVE YOU A REPORT ON THE IMPLEMENTATION OF THE ANTI-DRUG ABUSE ACT (ADAA) OF 1986 AND THE BACKGROUND OF THE BOARD ITSELF.

IMPLEMENTATION OF THE ADAA

AS A RULE, IMPLEMENTATION OF THE BILL'S PROVISIONS HAS BEEN LEFT TO THOSE DEPARTMENTS AND AGENCIES RESPONSIBLE FOR SUCH AS INDICATED IN THE ACT. THIS IS CONSISTENT WITH THE BOARD'S RESPONSIBILITY, AS STATED IN THE NATIONAL NARCOTICS ACT OF 1984, "NOT TO INTERFERE WITH THE ROUTINE LAW ENFORCEMENT OR INTELLIGENCE DECISIONS OF ANY AGENCY...."

IN TWO AREAS, HOWEVER, THE BOARD HAS, CONSISTENT WITH ITS MANDATE, BECOME MORE DIRECTLY INVOLVED IN ADAA IMPLEMENTATION. FIRST, AS NECESSARY AND APPROPRIATE, THE BOARD HAS PROVIDED GENERAL OVERSIGHT TO ADAA IMPLEMENTATION. THIS HAS INCLUDED BOTH MONITORING PREPARATION OF THE 60-PLUS REPORTS REQUIRED BY THE ADAA AND PERIODICALLY SURVEYING RESPONSIBLE AGENCIES REGARDING ACT IMPLEMENTATION. SECOND, WHERE THERE HAS BEEN CONFUSION, DISPUTE OR THE NEED FOR INCREASED COORDINATION REGARDING PROVISIONS OF THE ADAA, THE BOARD HAS PROVIDED ASSISTANCE. FOR EXAMPLE:

(1) C3I. THE COMMAND, CONTROL AND LOCATION OF THE C3I CENTERS PROVIDED FOR IN THE ADAA WERE DETERMINED UNDER THE AUSPICES OF THE NDPB. AN AGREEMENT OF THESE ISSUES WAS SIGNED BY THE CUSTOMS COMMISSIONER AND COAST GUARD COMMANDANT ON MARCH 16, 1987.

(2) U.S.-BAHAMAS DRUG INTERDICTION TASK FORCE. UNDER THE AUSPICES OF THE ENFORCEMENT COORDINATING GROUP, A TASK FORCE WAS ESTABLISHED AND INTEGRATED INTO THE ONGOING OPERATION OPBAT IN THE BAHAMAS AND TURKS AND CAICOS ISLANDS.
AS PART OF THIS EFFORT AND AS PROVIDED FOR IN THE ACT, $10 MILLION WAS USED TO ACQUIRE AND EQUIP THREE BAHAMIAN-BASED HELICOPTERS AND SECURE COMMUNICATIONS EQUIPMENT.

ONE SHOULD ALSO NOTE THAT THE LEGAL, MATERIAL AND MANPOWER RESOURCES PROVIDED FOR IN THE ACT PLAY AN IMPORTANT ROLE IN THE COMPREHENSIVE STRATEGY THE BOARD IS NOW DEVELOPING. FOR EXAMPLE, THE "MONEY LAUNDERING CONTROL," "JUVENILE DRUG TRAFFICKING" AND "DRUG POSSESSION PENALTY" ACTS OF 1986 ARE IMPORTANT COMPONENTS OF THE PROSECUTION COMMITTEE STRATEGY. THE ADDITIONAL MANPOWER AND PHYSICAL ASSETS, SUCH AS E2C AND P-3 AIRCRAFT AND AEROSTATS, AS THEY CONTINUE TO COME "ON-LINE" WILL GREATLY ASSIST THE SOUTHWEST BORDER INITIATIVE KNOWN AS OPERATION ALLIANCE.

MOREOVER, AS THE BOARD MONITORS IMPLEMENTATION OF ITS NATIONAL AND INTERNATIONAL STRATEGY, THE EFFECTIVENESS OF ADAA PROVISIONS AND RESOURCES WILL, NECESSARILY BE EXAMINED AS WELL.

WITH REGARD TO GRANTS PROVIDED BY THE DRUG ABUSE ACT, AS OF SEPTEMBER 1987, OVER $191 MILLION OF THE $225 MILLION APPROPRIATED (THROUGH THE ADAA OF 1986) FOR FEDERAL FORMULA AND DISCRETIONARY GRANTS TO STATE AND LOCAL LAW ENFORCEMENT AGENCIES HAS BEEN AWARDED. ALL 50 STATES HAVE SUBMITTED DRUG LAW ENFORCEMENT STRATEGIES ALONG WITH THEIR APPLICATIONS FOR THE GRANTS; AND 44 HAVE BEEN APPROVED THUS FAR.

POLICY BOARD BACKGROUND

BY WAY OF BACKGROUND, THE NATIONAL DRUG POLICY BOARD WAS CREATED BY A PRESIDENTIAL EXECUTIVE ORDER ON MARCH 26, 1987. IT OVERSEES ALL FEDERAL DRUG CONTROL EFFORTS. THE POLICY BOARD EXPANDS AND ENHANCES THE ACTIVITIES OF THE OLD NATIONAL DRUG ENFORCEMENT POLICY BOARD TO INCLUDE EFFORTS TO REDUCE THE DEMAND FOR DRUGS IN THE UNITED STATES AS WELL AS THOSE TO REDUCE THEIR SUPPLY. AS YOU KNOW, THE NATIONAL DRUG ENFORCEMENT POLICY BOARD WAS CREATED BY THE NATIONAL NARCOTICS ACT OF 1984 WHICH TOOK EFFECT ON JANUARY 25, 1985. THIS HIGH LEVEL BOARD OF THE FEDERAL GOVERNMENT WAS CHARGED WITH THE DEVELOPMENT AND COORDINATION OF UNITED STATES POLICY AND STRATEGY WITH RESPECT TO DRUG LAW

ENFORCEMENT EFFORTS. PRIOR TO MARCH 26, 1987, POLICY DEVELOPMENT ON THE DEMAND SIDE OF OUR ANTI-DRUG EFFORT WAS LODGED IN THE DOMESTIC POLICY COUNCIL, ALSO CHAIRED BY THE ATTORNEY GENERAL AND ASSISTED BY THE WHITE HOUSE OFFICE OF DRUG ABUSE POLICY.

THE NEW BOARD SERVES AS THE CABINET-LEVEL FORUM FOR SIGNIFICANT POLICY DECISIONS, INTERAGENCY COORDINATION AND INFORMATION EXCHANGE WITHIN THE DRUG LAW ENFORCEMENT AND DRUG PREVENTION AND HEALTH COMMUNITIES.

THE BOARD, WHICH MEETS MONTHLY IN THE WHITE HOUSE, IS CHAIRED BY THE ATTORNEY GENERAL AND VICE-CHAIRED BY DR. OTIS BOWEN, SECRETARY OF THE DEPARTMENT OF HEALTH AND HUMAN SERVICES. OTHER MEMBERS OF THE NEW BOARD INCLUDE: THE SECRETARIES OF STATE, DEFENSE, TREASURY, TRANSPORTATION, EDUCATION, ENERGY, COMMERCE, LABOR, HOUSING AND URBAN DEVELOPMENT, INTERIOR AND AGRICULTURE, THE DIRECTORS OF CENTRAL INTELLIGENCE AND THE OFFICE OF MANAGEMENT AND BUDGET, AND REPRESENTATIVES FROM BOTH THE PRESIDENT'S AND VICE PRESIDENT'S OFFICES.

WITHIN THE NEW POLICY STRUCTURE, THERE ARE TWO COORDINATING GROUPS, EACH COMPRISED OF DEPARTMENT ASSISTANT SECRETARIES, HEADS OF AGENCIES, AND OTHER SENIOR OFFICIALS FROM ORGANIZATIONS REPRESENTED ON THE BOARD. I AM THE ACTING CHAIRMAN OF THE DRUG ENFORCEMENT COORDINATING GROUP. IN ADDITION, A DRUG PREVENTION AND HEALTH COORDINATING GROUP HAS BEEN ESTABLISHED, CHAIRED BY DR. DONALD I. MACDONALD, DIRECTOR OF THE WHITE HOUSE DRUG ABUSE GROUP.

LEAD AGENCIES ARE DESIGNATED FOR A SPECIFIC FUNCTION OR AREA. THEY DEVELOP AND COORDINATE PLANS, AND ARE RESPONSIBLE FOR THEIR IMPLEMENTATION ONCE APPROVED BY THE COORDINATING GROUPS AND THE BOARD.

THE DRUG ENFORCEMENT COORDINATING GROUP IS RESPONSIBLE FOR COORDINATING FEDERAL ACTIVITIES AND INITIATIVES TO REDUCE THE SUPPLY OF ILLICIT DRUGS. FUNCTIONAL DELINEATION OF ACTIVITIES IS SPECIFIED FOR INTERAGENCY COORDINATION IN THE FOLLOWING AREAS: INVESTIGATIONS, PROSECUTION, INTERNATIONAL PROGRAMS, INTELLIGENCE AND INTERDICTION.

INVESTIGATIONS

THE DRUG ENFORCEMENT ADMINISTRATION (DEA) IS THE LEAD FEDERAL AGENCY RESPONSIBLE FOR DRUG INVESTIGATIONS.

PROSECUTION

THE JUSTICE DEPARTMENT IS THE LEAD FEDERAL AGENCY FOR THE PROSECUTION OF DRUG TRAFFICKING INVESTIGATIONS AND RELATED CRIMES.

INTERNATIONAL PROGRAMS

THE STATE DEPARTMENT IS THE LEAD FEDERAL AGENCY RESPONSIBLE FOR COORDINATING U.S. DRUG CONTROL EFFORT OVERSEAS.

INTELLIGENCE

THE DRUG ENFORCEMENT ADMINISTRATION (DEA) IS THE LEAD FEDERAL AGENCY RESPONSIBLE FOR DRUG ENFORCEMENT INTELLIGENCE.

INTERDICTION

THE CUSTOMS SERVICE IS THE LEAD FEDERAL AGENCY RESPONSIBLE FOR THE INTERDICTION OF ILLICIT DRUGS INTO THE UNITED STATES; COAST GUARD IS THE PRINCIPAL DEPUTY.

THE DRUG PREVENTION AND HEALTH COORDINATING GROUP IS RESPONSIBLE FOR DRUG PREVENTION, EDUCATION, REHABILITATION, TREATMENT AND RESEARCH.

TREATMENT

THE DEPARTMENT OF HEALTH AND HUMAN SERVICES IS THE LEAD AGENCY FOR FEDERAL ACTIVITIES INVOLVING TREATMENT, REHABILITATION, AND RESEARCH RELATING TO DRUG USERS.

HIGH RISK YOUTH

THE JUSTICE DEPARTMENT IS THE LEAD AGENCY FOR DEVELOPING, COORDINATING, AND IMPLEMENTING ALL FEDERAL ACTIVITIES TO REDUCE DRUG USE BY HIGH-RISK YOUTHS.

MAINSTREAM ADULTS

THE DEPARTMENT OF HEALTH AND HUMAN SERVICES IS RESPONSIBLE FOR REDUCING DRUGS IN THE WORKPLACE.

PREVENTION EDUCATION

THE DEPARTMENT OF EDUCATION IS THE LEAD AGENCY FOR PROGRAMS TO REDUCE DRUG USE IN THE SCHOOLS.

RECENT DRUG POLICY ACHIEVEMENTS

MUCH OF THE BOARD'S WORK, AS WELL AS THAT OF ITS COORDINATING GROUPS OCCURS "BEHIND THE SCENES" BY FACILITATING, ENCOURAGING, AND PROVIDING ADVICE IN SUPPORT OF INDIVIDUAL AGENCY AND INTERAGENCY OPERATIONS. HOWEVER, THE BOARD HAS ALSO BEEN INTIMATELY INVOLVED IN SIGNIFICANT POLICY DECISIONS. IN THE PAST YEAR, THE BOARD OVERSAW A NUMBER OF SIGNIFICANT DRUG LAW ENFORCEMENT ACTIVITIES SOME OF WHICH I WOULD LIKE TO HIGHLIGHT FOR YOU:

o INTERNATIONAL PROGRAMS - ERADICATION: IN OUR CONTINUING EMPHASIS IN TRYING TO STOP DRUGS AT THEIR SOURCE, WE HAVE EXPANDED OUR ENCOURAGEMENT AND SUPPORT OF SOURCE COUNTRY RADICATION. IN 1981, 2 FOREIGN COUNTRIES WERE ERADICATING DRUG

CROPS WITH OUR ENCOURAGEMENT. IN 1986, THE NUMBER JUMPED TO 20. COLOMBIA HAS MADE REMARKABLE PROGRESS IN DRUG ERADICATION. DEA REPORTS THAT COLOMBIA HAS ERADICATED OVER 80 PERCENT OF ITS DOMESTIC MARIJUANA CROP IN 1986.

o INTERNATIONAL PROGRAMS - ENFORCEMENT: WHILE THE EXTRADITION OF CARLOS LEHDER FROM COLOMBIA TO STAND TRIAL IN THE UNITED STATES WAS A COURAGEOUS ACT BY THE BELEAGUERED COLOMBIAN AUTHORITIES, IT ALSO DEMONSTRATES THE WISDOM OF OUR EFFORTS TO SECURE IMPROVED EXTRADITION TREATIES. PROMPTING EXTRADITION OF DRUG TRAFFICKERS IS A HIGH PRIORITY OF OUR INTERNATIONAL DRUG LAW ENFORCEMENT DIPLOMATIC EFFORTS.

o SOUTHEAST BORDER AIR INTERDICTION: A COMPREHENSIVE POLICY BOARD STAFF STUDY EXAMINED AIR AND RELATED MARINE INTERDICTION CAPABILITIES ALONG THE SOUTHEAST BORDER, AND PRESENTED A VARIETY OF OPTIONS AND RECOMMENDATIONS FOR GREATLY ENHANCING THE EFFECTIVENESS OF THOSE CAPABILITIES. E-2C AIRCRAFT, AEROSTAT RADAR, C3I FACILITIES, AND OTHER ADDITIONAL RESOURCES ARE BEING DEPLOYED TO ENHANCE OUR AIR INTERDICTION SYSTEM.

o FEDERAL PRISON SITUATION: THE POLICY BOARD IS REVIEWING THE FEDERAL PRISONER AND IMMIGRATION SITUATION AND IS EXAMINING OPTIONS FOR PRE-TRIAL DETENTION SPACE, PRISON AND IMMIGRATION SPACE OVER THE NEXT 5 YEARS. OVER ONE-THIRD OF ALL CURRENT

FEDERAL PRISONERS WERE CONVICTED OF DRUG OFFENSES. ENHANCED PENALTIES MANDATED BY THE ANTI-DRUG ABUSE ACT OF 1986 AND THE SENTENCING COMMISSION GUIDELINES WILL LIKELY INCREASE THAT NUMBER, FURTHER STRAINING PRISON CAPACITY.

- FEDERAL DRUG RESOURCE ALLOCATION: ADDRESSING ITS BUDGET RESPONSIBILITIES, THE POLICY BOARD MOUNTED AN IMPORTANT EFFORT TO BRING GREATER CONSISTENCY TO REPORTING OF DRUG LAW ENFORCEMENT SPENDING. THE BOARD REQUESTED OMB TO DEVISE A STANDARD METHODOLOGY FOR DETERMINING WHAT PORTION OF AN AGENCY'S SPENDING HAS BEEN ALLOCATED FOR DRUG CONTROL PURPOSES, AND FURTHER, TO WHICH STRATEGY COMPONENT THIS SPENDING MAY BE ATTRIBUTED. THIS ACTIVITY WILL IMPROVE THE UNDERSTANDING OF HOW FEDERAL DOLLARS ARE SPENT AND HELP THE BOARD DETERMINE THE MOST EFFECTIVE AND EFFICIENT USE OF FEDERAL RESOURCES.

- OPERATION ALLIANCE: THE POLICY BOARD ANALYZED THE SEVERE AND GROWING DRUG PROBLEMS ALONG THE SOUTHWEST BORDER AND ESTABLISHED A SUBCOMMITTEE OF THE BOARD'S COORDINATING GROUP TO OVERSEE PLANS FOR A CAREFUL RESPONSE. IN TURN, UNDER THE AUSPICES OF THE POLICY BOARD, OPERATION ALLIANCE WAS ESTABLISHED. BEGUN IN 1986 AND COORDINATED WITH NNBIS, OPERATION ALLIANCE IS DESIGNED TO CHOKE OFF THE RAPIDLY INCREASING FLOW OF DRUGS ACROSS THE U.S.-MEXICAN BORDER. THIS UNPRECEDENTED INTERAGENCY EFFORT

ALONG THE SOUTHWEST BORDER INVOLVES THOUSANDS OF FEDERAL, STATE AND LOCAL LAW ENFORCEMENT OFFICIALS AND SOPHISTICATED NEW EQUIPMENT TO FIGHT DRUG TRAFFICKING ALONG THE ENTIRE 2,000 MILE BORDER AND ADJACENT WATER.

o STRATEGIC PLANNING: THE NATIONAL DRUG POLICY BOARD IS CURRENTLY REVIEWING FEDERAL DRUG ABUSE AND ENFORCEMENT STRATEGIES AS PROPOSED BY ITS LEAD AGENCIES. THE BOARD HAS BEEN BRIEFED ON THESE STRATEGIES AND WILL MAKE RECOMMENDATIONS TO THE PRESIDENT ON THE DIRECTION AND CONTENT OF THE PLANS.

IN CONCLUSION LET ME STRESS THAT THE POLICY BOARD DOES NOT HAVE DAY-TO-DAY OPERATIONAL RESPONSIBILITY FOR DRUG LAW ENFORCEMENT. WE DO HAVE POLICY RESPONSIBILITY TO FACILITATE THE COORDINATION OF OPERATIONS AND POLICY UNDER THE TERMS OF THE NATIONAL NARCOTICS ACT OF 1984. WE DO NOT MICRO-MANAGE THE OPERATIONS OF ENFORCEMENT AGENCIES. THOSE DOING THE JOB IN THE FIELD ARE NORMALLY GIVEN THE FLEXIBILITY, WITHIN LEGAL CONSTRAINTS, TO GET THE JOB DONE IN CONCERT WITH OUR OVERALL NATIONAL STRATEGY. WHEN AN INTERAGENCY COORDINATION OR COOPERATION PROBLEM SURFACES, WE DEAL WITH IT AT THE POLICY BOARD. WE WELCOME YOUR CONCERN AND INTEREST IN THIS PROCESS.

THIS CONCLUDES MY PREPARED STATEMENT. FOLLOWING DR. MACDONALD'S STATEMENT AND BRIEF REMARKS FROM THE OTHER WITNESSES WE WOULD BE HAPPY TO RESPOND TO ANY SPECIFIC QUESTIONS YOU MAY HAVE.

STATEMENT

OF THE

HONORABLE WALTER E. FAUNTROY
(D.,D.C.)

FOR THE

TUESDAY, DECEMBER 8, 1987 HEARING

ON

"THE ANTI-DRUG ABUSE ACT OF 1986 AND THE FEDERAL DRUG STRATEGY"

SELECT COMMITTEE ON NARCOTICS
ABUSE AND CONTROL

2257 RAYBURN HOB

I AM PLEASED TO PARTICIPATE IN THE OVERSIGHT HEARING THIS MORNING THAT WILL ADDRESS THE SERIOUS PROBLEMS THAT ARE CONTINUALLY COMING BEFORE US IN THE UNITED STATES CONGRESS AS A RESULT OF THE FAILURES OF THE AMINISTRATION TO PROPERLY IMPLEMENT THE OMNIBUS DRUG ACT OF 1986. THAT LEGISLATION WAS THE RESULT OF HISTORIC BIPARTISAN EFFORT IN THE CONGRESS AND HAILED BY PRESIDENT REAGAN AT THE TIME OF SIGNING, AS THE MOST SIGNIFICANT AND NEEDED COMPREHENSIVE RELIEF ENACTED SO FAR IN DEALING WITH THE MASSIVE DRUG CRISIS CONFRONTING THIS COUNTRY--AND THE WORLD.

IT WAS THE FY 88 BUDGET SUBMITTED BY THE PRESIDENT THAT FIRST PROVIDED THE CYNICAL REVERSAL OF STATED GOALS ENACTED BY P. L. 99-570. THIS DISCOURAGING POSTURE WAS SOON FOLLOWED BY OTHER EVIDENCES OF CUTBACKS IN CRUCIAL AREAS PINPOINTED BY THIS IMPORTANT LEGISLATION.

THIS MORNING WE HOPE TO HEAR SOME OF THE DETAILS OF WHAT HAS BEEN DONE IN FY 87 WITH THE EXEMPLARY FUNDING THAT WAS PROVIDED FOR THAT YEAR. AND THEN WE HOPE TO HEAR WHAT THE ADMINISTRATION PLANS FOR THE YEAR FY 88, THE FINAL YEAR OF THE REAGAN ADMINISTRATION.

WE CANNOT, AS A NATION, WAIT FOR A NEW PRESIDENT TO CONTINUE THE CRUCIAL WORK INITIATED IN P. L. 99-570. WE ALSO CANNOT PERMIT THE "RHETORIC" OF "INTENTION" TO DIM THE REALITY OF ACTUAL ACCOMPLISHMENT.

In addition to protecting the programs funded and begun in FY 87, and establishing what the Administration will actually do for FY 88, this Committee must also determine what the Administration will submit in plans for FY 89--in protecting rather than "letting die on the vine" the crucial tools authorized in P. L. 99-570.

I urge the agencies of the Administration to join with us in a more effective partnership, that this be a truly bipartisan effort for the sake of our country's health and safety. The drug crisis is growing--not diminishing.

My praise for Chairman Rangel in putting together this comprehensive presentation by the implementing agencies of the Executive Branch.

As witnesses, please join us this morning in a truth-seeking hearing that will show the way to further improvements in our narcotivs prevention and control.

Thank you.

STATEMENT OF

DONALD IAN MACDONALD, M.D.

ADMINISTRATOR

ALCOHOL, DRUG ABUSE, AND MENTAL HEALTH ADMINISTRATION

and

CHAIRMAN

DRUG PREVENTION AND HEALTH COORDINATING GROUP

NATIONAL DRUG POLICY BOARD

before

THE HOUSE SELECT COMMITTEE ON NARCOTICS ABUSE AND CONTROL

on

"DRUG ABUSE PREVENTION, EDUCATION AND TREATMENT
ONE YEAR AFTER THE ANTI-DRUG ABUSE ACT OF 1986"

December 8, 1987

Mr. Chairman and members of the House Select Committee on Narcotics Abuse and Control, I am Dr. Donald Ian Macdonald, Administrator, Alcohol, Drug Abuse, and Mental Health Administration, and Chairman of the National Drug Policy Board's Drug Abuse Prevention and Health Coordinating Group. I thank you for the opportunity to give you an overview of the progress we have made in implementing the demand reduction provisions of P.L. 99-570, the Anti-Drug Abuse Act of 1986.

As you know, P.L. 99-570 either revised or enhanced most existing demand reduction programs and also created several entirely new programs. Most of the demand reduction programs in the Department of Health and Human Services are carried out in the Alcohol, Drug Abuse, and Mental Health Administration (ADAMHA). Programs are also carried out in cooperation with other agencies and Departments where appropriate. Considering the fact that P.L. 99-570 was enacted and funds appropriated after the start of fiscal year 1987, I believe we have made substantial progress in implementing the law. Virtually every new or enhanced program was implemented and awards made to eligible entities by the close of fiscal year 1987.

I will be pleased to give an overview of these accomplishments.

IMPLEMENTATION

As you know, P.L. 99-570 either revised or enhanced most existing demand reduction programs and also created several entirely new programs. Most of the demand reduction programs in the Department of Health and Human Services are carried out in the Alcohol, Drug Abuse, and Mental Health Administration (ADAMHA). Programs also are carried out in cooperation with other agencies and Departments where appropriate. Considering the fact that P.L. 99-570 was enacted and funds appropriated after the start of Fiscal Year 1987, I believe we have made substantial progress in implementing the law. Virtually every new or enhanced program was implemented and awards made to eligible entities by the close of Fiscal Year 1987.

I will summarize the accomplishments in each of the major areas of demand reduction:

Treatment Services

The major provision of the Anti-Drug Abuse Act of 1986 relating to treatment services is the Alcohol and Drug Abuse Treatment and Rehabilitation (ADTR) Block Grant to support new and expanded services. The ADTR funds have been distributed to the states as specified in the Act, in two portions -- a 45 percent portion based on population and a 55 percent portion based on need.

On November 24, 1986, ADAMHA notified states of the availability of the 45 percent portion of the ADTR, and all the states were notified of their awards for this portion by April 29, 1987.

The 55 percent portion required that ADAMHA develop a needs formula. A number of states expressed concern with the original formula transmitted to them on January 20, 1987; and, at the states' request, ADAMHA extended the deadline for their comments. ADAMHA transmitted the OMB-approved application requirements and guidelines to the states on March 4, 1987; and the final formula was transmitted to the governors on April 3, 1987. Subsequently, ADAMHA processed completed state applications in an average turnaround time of two weeks; and all of the 55 percent awards were received by the states by September 30, 1987.

The ADTR funds are available to states for obligation for two fiscal years. Each state now has its total award available with which it can initiate new or expanded drug and alcohol services. States are free to "draw down" these funds as required to expand services. As of November 30, 1987, a total of 35 states, Puerto Rico, and one Indian Tribe have "drawn down" $26.6 million, representing 16.3 percent cf the $162.9 million made available by Public Law 99-570.

ADAMHA analyzes information provided by the states as part of their applications for the ADTR Block Grant. Targeted populations most often mentioned are youth and adolescents, AIDS/IV drug users, women, the homeless, persons in the criminal justice system, the elderly, and minorities (Blacks, Hispanics, Native Americans). States' applications indicate that ADTR funds are supporting a host of services -- prevention, training and education, intervention, detoxification, outpatient, residential and intermediate care, rehabilitation, aftercare, methadone maintenance, and employee assistance programs -- in both the drug and alcohol abuse areas.

Further, through our continuing cooperative efforts with the National Association of State Alcohol and Drug Abuse Directors (NASADAD), we obtain information collected through the annual State Alcohol and Drug Abuse Profile (SADAP). The 1987 survey will include four additional questions requested by ADAMHA specifically addressing the use of ADTR funds, including the types of services to be provided, expected client admissions supported by ADTR monies, estimated allocations of ADTR monies to be targeted to specific drugs of abuse, and allocations targeted to special populations. Preliminary results from this effort should be available from NASADAD by March 1, 1988.

Prevention

In response to the desire of many communities to have one organization to turn to for prevention interaction, a new entity, the Office for Substance Abuse Prevention (OSAP) was established by P.L. 99-570. Charged with preventing substance abuse and its adverse consequences for health, OSAP was organized and staffed during FY 1987 and began with the following actions:

- A total of $24 million in high risk youth model demonstration grants was awarded. This entailed soliciting and completing peer review of an unprecedented number of applications (nearly 900) and awarding 131 grants. These grants address all populations of high risk youth identified in the legislation, with a large percentage concentrated on the economically disadvantaged, children of substance abusers, and gateway drug users.

- Information about alcohol and drugs was developed and disseminated. OSAP manages the National Clearinghouse for Alcohol and Drug Information (NCADI), which responds to 60,000 requests per year (expected to reach approximately 100,000 during FY 1988). NCADI stocks more than 500 different publications; offers users a data base search capability and a free audio-visual loan program; and provides outreach to schools.

- By the end of FY 1987, OSAP awarded the following:

  (1) Technical Assistance and Training to Parents, Youth, and Communities, which is to stimulate

primary prevention programs by providing on-site technical assistance to parent and youth organizations, schools, and other agencies working with target groups.

(2) Technical Assistance and Training Workshops for Ethnic Minorities, which are to provide on-site technical assistance to minority groups and individuals and groups that serve minority populations; conduct workshops for these organizations; provide substance abuse prevention training to individuals and agencies serving ethnic minority groups; and provide speakers, panelists, and facilities at state and local community conference/workshops focusing on minority populations.

(3) The Development of Model Community-Based Prevention Strategies Program and Services, which are to stimulate, support, and evaluate the efforts of local chapters of national organizations to implement community-based programs and activities.

o A successful and productive relationship has been formed between OSAP and the Department of Education

(DoED) through frequent collaboration, including the following:

(1) A joint ad hoc committee was formed in December 1986 to oversee implementation of the Anti-Drug Abuse Act of 1986. This committee was subsumed in March 1987 by the National Drug Policy Board's Drug Abuse Prevention and Health Coordinating Group.

(2) A memorandum of understanding was signed in March 1987 to specify procedure and responsibilities for the National Clearinghouse for Alcohol and Drug Abuse Information, including the transfer of $500,000 from DoED to assist in establishing the Clearinghouse.

(3) A second memorandum of understanding was signed in April 1987 outlining procedures and responsibilities for the legislatively-mandated joint assessment of Federal, state and local drug prevention/education programs.

(4) Each Department is contributing information to the other's publications.

In addition, OSAP has supported conferences, symposia, workshops, and several special projects aimed at increasing community-based prevention programs and services for a wide spectrum of groups.

Research

The Anti-Drug Abuse Act also provided funds for enhanced research initiatives in ADAMHA. Within ADAMHA, the National Institute on Drug Abuse (NIDA) received an additional $27 million for preclinical, clinical, and epidemiologic research studies. Project grants, the primary research mechanism, have been funded at a level of $11.7 million, with contracts funded at $8 million and Substance Abuse and Alcoholism received an additional $3 million. Examples of drug abuse research include:

- Studies on various approaches to drug abuse treatment being conducted by three centers based in New York, Pennsylvania, and Connecticut. These studies focus on pharmacotherapy for opiate addition using naltrexone, buprenorphine, methadone, and certain experimental drugs, with one center also exploring treatment for benzodiazepine addiction and two exploring cocaine addiction.

- Studies on cocaine abuse, including a New York-based study of the efficacy of individual and family therapy; a State of Washington-based study of outpatient treatment; another New York-based study on the causes and consequences of cocaine abuse by methadone clients with a focus on reducing such abuse; a Georgia study of the neurobehavioral effects of prenatal cocaine exposure, alone and in combination with alcohol and marijuana; a University of Florida study of certain features of cocaine use in pregnancy using an animal model; and a Louisiana-based study on the neurobiology of chronic cocaine intoxication.

- A California study on the safer treatment of pain through the development of non-addicting opioid peptide analgesics.

- Evaluation of cocaine abuser treatment modalities by both University of California researchers and Yale University researchers.

- Research on drug prevention among ethnic minority groups being conducted at the University of Washington, where the etiology and patterns of drug use among Black, Asian, and White urban youth are being studied to determine the relative importance of risk factors at different developmental levels, and at the University of Maryland, which is investigating the etiology of substance abuse among unemployed Black youth.

- School-based prevention studies including an evaluation of the effectiveness of a comprehensive health promotion/substance abuse prevention program for middle school students being conducted by Wisconsin health officials and a life-course perspective on drug abuse prevention being explored by Kentucky researchers.

With regard to alcohol research, the National Institute on Alcohol Abuse and Alcoholism is:

- Conducting an epidemiological study on sequencing of alcohol and drug use in adolescents;

- Studying the effects of alcohol on endocrine and psychosocial development in adolescents;

- Developing an objective marker for alcohol intake; and

- Developing improved technology for measuring prevention outcome.

These projects should clearly indicate the subject diversity of the research being conducted. Fortunately, the national focus on drug abuse problems has served to attract many outstanding project applications, particularly by researchers who had not previously shown an interest in the field.

Data and Epidemiology

NIDA, a world leader in the collection of drug abuse data, supports three major ongoing data collection activities, the High School Senior Survey, the National Household Survey on Drug Abuse, and the Drug Abuse Warning System (DAWN). These survey efforts were enhanced with funding provided by the Anti-Drug Abuse Act of 1986.

The High School Senior Survey is an annual survey of drug use among high school seniors. The study is designed to scientifically sample 15,000 to 18,000 high school seniors located in approximately 130 public and private high schools around the Nation. Each graduating class since 1976 has been or will be followed annually for 10 years past high school. Data from the survey are primarily used to assess prevalence and trends of drug use among high school seniors and to gain a better understanding of the lifestyles and value orientations associated with patterns of drug use and how those orientations shift over time.

The National Household Survey on Drug Abuse is conducted every two to three years and provides national data on the incidence, prevalence, trends, and correlates of drug use in a representative sample of the household population aged 12 years and older in the continental United States. Homeless individuals and people who live in institutions such as jails, hospitals, or on military bases are not included. Data are collected on the use of alcohol, cigarettes, marijuana, inhalants, cocaine, hallucinogens, heroin, and the non-medical use of psychotherapeutic drugs.

The Drug Abuse Warning System (DAWN) is a large-scale drug abuse data collection system designed as an early warning indicator of the severity, scope, and nature of the Nation's drug abuse problem. Data collection involves the voluntary participation of a non-random sample of about 750 hospital emergency rooms and 75 medical examiner/coroner offices located primarily in 27 metropolitan areas throughout the Nation.

Certain features of the DAWN system make it especially useful in monitoring changing drug trends: it is ongoing, with data files updated monthly; it collects data on specific drugs rather than classes of drugs; and it reflects geographic variation in emerging problems.

Special Provisions for American Indians and Alaska Natives

7

P.L. 99-570 requires the Secretary of the Department of Health and Human Services and the Secretary of the Interior to establish cooperative efforts between the Bureau of Indian Affairs (BIA) and the Indian Health Service (IHS) in order to jointly address alcohol and substance abuse in Indian communities. After consultation with tribes and briefing sessions with tribal leadership and local IHS/BIA staff, a memorandum of agreement (MOA) was signed by the respective Secretaries, published, and distributed to tribal chairpersons in March 1987. The MOA includes a provision for the development of an Organizational Management Action Plan outlining specific objectives and timeliness to assure ongoing coordination.

Section 4206 of the Anti-Drug Abuse Act provides tribes with the opportunity to form Tribal Coordinating Committees, with tribal, BIA and IHS representation, to develop Tribal Action Plans (TAPs). To date at least 85 percent of the tribes have passed resolutions of intent to write a plan. In communities where tribes did not begin this process, the IHS Service Unit Directors, as required by statute, are working with the BIA to develop a plan.

The IHS was instructed to develop comprehensive alcohol and substance abuse prevention and treatment programs. Each IHS area has developed such a program and further coordinated activities with the BIA by completing area-specific workplans consistent with the Tribal Action Plans.

P.L. 99-570 also requires enhancement of detoxification and treatment programs and community rehabilitation and follow-up services for American Indians and Alaska Natives. Site selection criteria reflecting accessibility to transportation, medical, education, vocational, cultural and social service support systems were developed for the initial treatment centers. A panel of outside experts, representing national American Indian and Alaska Native health organizations and substance abuse perspectives, assisted the Indian Health Service in reviewing 19 proposals. Selected sites were (1) the Cherokee Nation of Oklahoma, using a dormitory on the Sequoyah School grounds, and (2) the Acoma-Canoncito-Laguna (ACL) Hospital in the Albuquerque area, which was selected by a committee of all tribes in the area and will be managed by the IHS. These two treatment centers will be operational by the first of February 1988.

Community-based rehabilitation and aftercare services are presently being provided in most Indian/Alaska Native Communities through 638 contracts or IHS Service Units. Funds were distributed to areas utilizing a formula that included Years of Premature Life Loss (YPLL), demand for services, and data on treatment effectiveness.

Appropriations of $3.5 million were provided for Section 4228, community education and staff training. These funds were distributed to areas based on a formula of population, YPLL and demand for prevention services in Fiscal Year 1986.

In Fiscal Year 1987, approximately 5,000 people were trained, including physicians, nurses, alcoholism program staff, health educators, social workers, BIA/Tribal law enforcement and educators. Education and training of tribal leaders is also occurring.

Education

Since October 27, 1986, the Department of Education has worked hard to implement quickly the programs outlined in the law. The results of these efforts are that after one year, all programs are fully operational. In other words, $198.5 million of the $203 million two-year money that was targeted for prevention education was made available to the American people. The remaining $4.5 million for audio-visual materials grants will be awarded this month.

Not only were these funds available quickly, but the Department of Education also provided guidance and information to the American public to assist them in establishing effective prevention programs. What Works: Schools Without Drugs was published early in Fiscal Year 1987. The handbook outlines how schools, with the help of parents and communities, can prevent student drug use.

Also, two months after passage of the Anti-Drug Abuse Act, the Department of Education distributed guidance to governors and state educational agencies on the state and local funds, and a month later the Department of Education held a conference for representatives of the governors and state educational agencies explaining in detail the law and its implications.

Three months after the passage of the law, Secretary Bennett challenged all schools to develop comprehensive programs and to join "The Challenge" campaign, a campaign that mobilizes parent and community support for school programs.

Five months after passage of the law, the Department of Education mailed the first of its bimonthly newsletters to every elementary and secondary school throughout the country, giving them information on model schools, the latest on research and other resources and techniques for helping in the war against drug abuse.

Realizing that there are problems with current curricula, Education did several things. First, it reviewed the latest research on prevention techniques, and then it formed an advisory board to establish criteria for choosing curricula and to assist school officials by detailing how a curriculum should be incorporated into a broader prevention program. The results of the research review were incorporated in the joint Department of Education/Department of Health and Human Services report to Congress delivered October 27, 1987. It will also be delivered to all chief state school officers. The results of the advisory board will be published this summer.

The Department of Education has also begun work with institutions of higher education. In September 1987, a panel of college presidents, vice presidents and administrators met to establish standards for alcohol and drug prevention for colleges and universities. In December 1987, college presidents will review the standards and make recommendations. These will then become the standards for a network of committed colleges across the country.

The Department of Education is also working on discovering and publicizing model programs. The Department is currently reviewing materials submitted by schools and selecting above-average programs for dissemination. The Department has also established a School Recognition Program to name 50 to 100 outstanding programs throughout the country this school year. The Department of Education publicizes effective programs in the newsletter, and the names of the schools will be circulated among education resource centers so that schools around the country can benefit from their successes.

The Department of Education is currently meeting with the Department of Health and Human Services to begin evaluating Education's efforts. In particular, the state and local funds, including the governors' money for high-risk youth and community coordination, will be examined. This joint effort should produce insights into what the states consider high priority programs and may provide us some state models for publication.

As it established its programs, the Department of Education worked with many agencies. Prior to the passage of the law, the Department was a member of the Domestic Policy Council's Working Group on Drug Abuse Policy and, after the passage of the law, began working closely with the Department of Health and Human Services. Beginning last December, monthly meetings discussing critical issues that had an impact on the implementation of Education's programs were held. Committees were formed to examine issues in curricula, media, teacher training, research, elementary and secondary schools, colleges and universities.

These meetings continued until March when the Department of Education became a member of the National Drug Policy Board, and its activities were subsumed into those of the Drug Abuse Prevention and Health Coordinating Group. Since that time, the

Department of Education has been the lead agency for Prevention and Education. As lead agency, the Department of Education has worked with 15 other agencies to establish a strategy to assist parents, schools and communities in their prevention efforts with the general youth population.

Workplace Initiative

In response to the Anti-Drug Abuse Act of 1986, NIDA established an Office of Workplace Initiatives (OWI) in February 1987; implemented a national toll-free workplace helpline (1-800-843-4971) to assist employers in developing resources for education, treatment, and prevention of substance abuse; and developed and issued the HHS Technical and Scientific Guidelines for Federal Drug Testing Programs, as required by the President's Executive Order for a Drug-Free Workplace (Executive Order Number 12564). The final guidelines are scheduled to be published this month.

The objective of the workplace initiative is to significantly reduce individual employee drug use, thereby reducing the impact of drugs at public and private worksites. Through research and technical assistance, this initiative seeks to determine the impact of drug abuse in the workplace; to raise the awareness of drug abuse issues by employers, labor leaders, and occupational health practitioners; and to foster the development of effective employee assistance approaches.

- Industry: The larger Fortune 500 companies have already moved ahead with workplace initiatives, but many smaller companies, constituting 65 percent of the U.S. workforce, do not have the capability to develop programs on their own and look to the Federal Government for guidance. NIDA, therefore, plans to develop a model employee assistance program (EAP), standards for program evaluation, and standard curricula for training in substance disorders to be used as EAP employment criteria and continuing education for current and future EAP employees.

- Federal Government: The Director of OWI is also Chairman of the Interagency Coordinating Group (ICG) on Implementation of the President's Executive Order for a Federal Drug-Free Workplace. ICG includes members from the Office of Personnel Management, the Department of Justice, and the HHS Public Health Service. In mid-September 1987, the ICG sponsored a technical assistance workshop to help agencies develop their plans, and is developing a model plan for agencies use.

- Workplace Research: In July 1987, NIDA released the new OWI grant program announcement, "Research on the Prevalence, Impact, and Treatment of Drug Abuse in the Workplace." The four areas of interest of this program are:

(1) Prevalence of Drug Use and Relationship with Productivity in the Work/School Environment;

(2) Development of Performance Assessment Batteries;

(3) Assessment of Employee Assistance Models; and

(4) Workplace Policy Research.

IMPACT OF THE ANTI-DRUG ABUSE ACT OF 1986

It is simply too early to tell what impact the Anti-Drug Abuse Act's education, prevention and treatment provisions have had on the levels of drug abuse in America. As I have described in the implementation section above, virtually all of the Act's funding has been made available to the intended recipients during Fiscal Year 1987, but it will take some time before all programs will be fully geared up at the state and local levels. We will know relatively soon how many drug users respond and seek treatment. The success of our prevention efforts will be measured by how many people do not get involved with illegal drugs, and this is harder to measure. We must continue to seek every opportunity to not tolerate the presence or use of illegal drugs if our prevention efforts are to succeed.

Unlike smallpox, there is no one-shot vaccine to stop drug abuse. We have to overcome years of casual attitudes toward drug-taking behavior. We must educate each successive new generation to not accept illegal drugs. Unlike other diseases, there is a criminal element actively promoting the spread of illegal drugs, without regard to the personal tragedies they cause.

We have made progress in demand reduction, as shown by surveys and attitude polls, against most of the illegal drugs. The major exception may be cocaine. The advent of a cheap, smokable form of cocaine, known as "crack," has greatly altered the picture of even a few short years ago. We are meeting this continuing threat in a variety of ways which I discussed earlier.

Although it may be too early to tell what the ultimate impact of the Anti-Drug Abuse Act is today, you should not doubt that the Act has enhanced our Nation's ability to fight drug abuse. The Act has expanded the resources and other support available to states, schools, parents, prevention and treatment programs, and researchers.

DEMAND REDUCTION AND THE NATIONAL DRUG POLICY BOARD

Prior to the creation of the National Drug Policy Board, demand reduction was coordinated through the Domestic Policy

Council Working Group on Drug Abuse Policy. On March 26, 1987, President Reagan established the National Drug Policy Board (NDPB) by Executive Order 12590. The NDPB consolidated the functions of prior coordinative entities working in supply and demand reduction in order to provide coordinated, national responses.

Demand reduction strategies now emanate from the Drug Abuse Prevention and Health Coordinating Group of the NDPB, which I chair. The Group's membership includes the Departments of Health and Human Services, Education, Housing and Urban Development, Labor, Interior, Defense, Justice, State, Transportation, Energy, and Treasury. It also includes the Office of Personnel Management, ACTION, and the Office of Management and Budget. Its focus is on prevention, education, rehabilitation, treatment, and research.

The Group is comprised of four committees which target specific populations in American society. The committees are as follows:

Committee on Mainstream Adults - Chaired by Robert Windom, Assistant Secretary for Health, Department of Health and Human Services. The goal of this committee is to promote a drug-free workplace for the Federal workforce and the private sector. It also deals with employee assistance programs and urine screening programs.

Committee on High Risk Youth - Chaired by Vernon Speirs, Acting Administrator, Office of Juvenile Justice and Delinquency Prevention, Department of Justice. This committee targets youth at risk, dysfunctional families, and those with social, psychiatric, and educational problems.

Committee on Prevention and Education - Chaired by William Lennox, Special Assistant to the Secretary, Department of Education. This committee is focused on youth and early drug use. Among its principal goals are to prevent and delay the onset of experimentation or use of drugs and to educate schools, communities, parents, and youth about drug abuse.

Committee on Treatment and Rehabilitation - chaired by Dr. Charles Schuster, Director of the National Institute on Drug Abuse. This committee is focused on those already addicted to or abusing drugs, and it deals with all aspects of treatment and rehabilitation, including the issues of AIDS and intravenous drug abuse. The committee looks at the various risks factors, including psychiatric and social dysfunction, homelessness and family dysfunction.

Each of the committees is functioning with an unprecedented level of cooperation. Our goal is to complete the demand reduction portion of the national strategy in early 1988. Thus far, each committee has adhered rigorously to the schedule mandated by the NDPB.

Furthermore, the NDPB will be receiving input from the White House Conference for a Drug Free America as authorized by P.L. 99-570.

The purpose of the Conference is to:

- Share information and experiences in order to vigorously and directly attack drug abuse at all levels --- local, Federal, state, and international;
- Bring public attention to approaches to drug abuse education and prevention which have been successful in curbing drug abuse, and to those methods of treatment which have enabled drug abusers to become drug-free; and
- Highlight the dimensions of the drug abuse crisis, examine the progress made in dealing with such crises, and assist in formulating a

national strategy to thwart the sale and solicitation of illicit drugs and to prevent and treat drug abuse.

Between November and December 1987, the White House Conference is providing the opportunity for citizens (in a series of six regional conferences) to share their ideas and experiences in order to attack drug abuse vigorously at all levels.

After the meetings around the country, a major conference will be held in Washington, D.C., from February 28-March 3, 1988. Drug abuse prevention, treatment and research will be discussed, as will drug-free workplaces, schools, transportation and public housing.

The public will be invited and the involvement of representatives of successful local anti-drug programs from all over the country is considered crucial. The final product will be a report to the President and the Congress by August 1988 on the policies, programs and national strategies necessary to build upon what has already been accomplished and work toward a drug-free America.

I believe it is necessary for Members of Congress to be aware of these efforts, and hopefully be involved in them, in the larger context of overall policy development.

Conclusion

In implementing P.L. 99-570, we are making considerable gains against drug abuse -- and we are moving faster than would have been possible without the law. Everyone has high expectations and, although we would like to see immediate results, changing human behavior takes time. The Anti-Drug Abuse Act was signed into law only one year ago.

I believe that the Congress and the Administration agree that the commitment to strong demand reduction strategies must be maintained at the Federal, state and local levels. I am confident that the Congress and the Executive Branch will continue to work together toward our ultimate goal -- a drug-free American society.

I would be pleased to answer any questions you might have.

TESTIMONY
DEPUTY ASSISTANT SECRETARY JERROLD MARK DION
BUREAU OF INTERNATIONAL NARCOTICS MATTERS
DEPARTMENT OF STATE
to
SELECT COMMITTEE ON NARCOTICS ABUSE AND CONTROL
HOUSE OF REPRESENTATIVES

December 8, 1987

MR. CHAIRMAN:

The Department of State welcomes this opportunity to participate with the National Drug Policy Board's panel in your review of the implementation of the Anti-Drug Abuse Act of 1986.

My testimony is designed to answer the questions you posed to Secretary Shultz in your letter of invitation.

Public Law 99-570 marks a major change in our methods of appraising the narcotics control performances of source and transit countries. Indeed, it represents a major change in the way we allocate economic and military assistance to these countries.

As you know, the Department of State, with the concurrence of other agencies, has provided to Congress an annual International Narcotics Control Strategy Report, pursuant to the Biden amendment of 1981. Since 1983, this report has included major submissions, in detail, for each country on prior year performance, current year operations, and future year plans, in accord with the Hawkins, Gilman, Rangel amendment.

The Anti-Drug Abuse Act of 1986 requires that we identify those countries which meet the definition of major producer or major transit country, that the President certify whether each is fully cooperating with the United States on narcotics control, and that the Administration withhold 50 percent of the economic and military assistance scheduled for each country (from October 1 until March 1) when the Presidential certifications are submitted.

Two options for certification are provided: the President may give a national interest certification -- as we did in the cases of Laos and Lebanon in March 1987 (a way of saying that a country did not cooperate to our satisfaction on narcotics control but there are compelling reasons for continuing U.S. assistance); or, the President may deny certification -- as he did for Syria, Afghanistan and Iran. Congress may accept or reject these certifications. If certification is denied, a country loses the 50 percent balance of U.S. assistance, and future assistance will be denied until that country has been fully certified.

None of the countries denied certification receive U.S. assistance, nor were we aware of any significant trade relationship. U.S. Representatives to multilateral development banks were instructed to oppose any new or extended loans if any of these countries applied. None did.

There is, however, another aspect to our use of the law. When the Act became law on October 27, 1986 we were already in discussion with a number of governments in an effort to reach agreement on actions that would improve the results of narcotics control operations. The certification process figured prominently in our discussions with Bolivia on a new eradication agreement, with Pakistan and Jamaica on herbicidal eradication programs, with Mexico on stepping up eradication of marijuana, and with Panama on cooperation in money laundering investigations under their new drug act.

This year, our performance expectations are higher, as you will see when the INCSR and accompanying certifications are submitted on March 1, 1988.

The Department did act to suspend economic and military assistance to Bolivia on October 1, 1987. Suspension of $8.7 million resulted from Section 611 of the 1985 International Development Assistance Act, which required Bolivia to make significant progress on crop eradication during 1986 and 1987. The targets were not met for either year and Bolivia lost 50 percent of its economic and military assistance for both years.

The State Department is not opposed to establishment of a United States-Mexico Intergovernmental Commission. We consulted with the Government of Mexico, as required by Section 2024 of the 1986 Anti-Drug Abuse Act, and both governments agreed there should be a commission, but one comprised exclusively of legislators, with advisory participation by the Executive Branch. The U.S. has a long tradition of joining interparliamentary groups, but with the exception of the Law of the Sea Commission, charged with developing an international agreement, mixed executive/legislative negotiating bodies are unprecedented. We continue to support a Mexican-American interparliamentary group on narcotics to which the Executive Branch of each nation would provide briefings and testimony. However, we believe mixed executive/legislative commissions are likely to blur the important distinction between executive and legislative responsibilities. Congress has the power to create by joint resolution a narcotics sub-group of the present U.S./ Mexico interparliamentary commission that could meet as often and at such places as the Mexican and American membership agreed.

The administration has supported the concept of an Inter-American summit on drug trafficking and abuse, which is not a requirement of the Anti-Drug Abuse Act. We have discussed the idea with officials of the Organization of American States, and with foreign governments. While there is interest, we have not yet agreed on a timetable or venue.

The Bureau of International Narcotics Matters has made significant progress in our efforts to create an interregional aviation support capability. We have already provided leased helicopters to Peru, Ecuador, Bolivia and Jamaica, and have purchased six new helicopters to be deployed starting in 1988. We are also procuring seven fixed wing spray aircraft, which have worked so effectively in Panama, Belize, Colombia and Burma.

We are concerned about being able to fully deploy the interregional air support concept, and maintain the fleet we already have in the air. As you know, the Senate Appropriations Committee has voted to reduce INM's 1988 budget from $98.7 million requested to $85 million, and to earmark $15 million of this amount for Bolivia. Bare-bones start up expenses for the air wing, primarily the acquisition of necessary spare parts and maintenance support, will be $13.4 million in FY 1988, leaving only $56.6 to support other aggressive country eradication programs, on which we spent $118.7 last year. These costs must be taken from country programs if we are to deploy these air wing assets this fiscal year.

The FY 1988 budget request had not allocated monies to the buildup and support of the air wing because that request was formulated before passage of the 1986 Anti-Drug Abuse Act prohibiting granting of aircraft to foreign governments and directing the procurement of significant amounts of INM-managed aviation equipment.

The Department of State has developed a new strategy for 1988 and 1989, now before the National Drug Policy Board. The Board will soon be briefing members of Congress on domestic and international strategies. Our strategy is predicated upon an expansion of chemical eradication. With the authorization of foreign governments, we plan to apply either a systemic herbicide to destroy coca plants, or, as an interim measure while research continues, to apply a dessicant chemical which will destroy the coca leaf. INM experts and Department of Agriculture scientists as well as private consultants to INM are completing a second round of tests on the potential effectiveness of six herbicides that we think have promise in eradicating coca. Just as in the tests we did in earlier, several chemicals seem to be effective when applied manually, at ground level. We continue to search for an environmentally safe chemical that can be applied aerially. Aerial tests are scheduled for the Spring.

The Department provided a detailed threat assessment on Africa in this year's INCSR. We plan to update our assessment next March 1. We continue to be deeply concerned by the movement of heroin through Nigeria and other African countries, by the growing export of marijuana and hashish, and, in recent months, by seizures of cocaine from Latin America in African cities. Recent discussions here with Minister of Justice Ajibola from Nigeria were encouraging. We plan to increase our assistance to Nigeria. African states facing severe narcotics problems agree with us that the most immediate need is for professional training in police methods, especially narcotics control and investigation methods. We plan to increase training, both here and for African officials. In 1988, we will have an Asia/Africa regional program. We have budgeted $450,000 for detection and eradication of illicit narcotics crops, destruction of narcotics processing and storage facilities, interdiction and seizure of illicit narcotics in transit, and arrest and prosecution of traffickers.

Finally, in response to your question about policy priority, narcotics control enjoys a higher policy priority at the Department of State, under Secretary Shultz, than at any time since the Department began to fight narcotics trafficking in the early seventies. Secretary Shultz has been a strong advocate of narcotics control measures in high-level bilateral meetings, with heads of State and senior ministers from such countries as Mexico, Thailand, Colombia, Jamaica, and Pakistan; he has urged greater international cooperation at ministerial level meetings held in connection with the annual economic summit conferences; he has included references to narcotics control in various public speeches, and he has made the Department's priority clear in appearances before our authorizing and appropriating committees.

The real test of a priority is not measured by public statements, but in support. We meet with the Secretary and Under Secretary for Political Affairs on a weekly basis, and attend frequent inter-functional meetings with the Secretary. The Department has firmly supported our expansion from a $35 million program in 1980 to a $118.7 million program in 1987. The Department agreed with the Congress on the Anti-Drug Abuse Act. Some in Congress may disagree about specific certifications, but, working together, we have used the leverage provided in this Act to strenghen the commitments by numerous countries to narcotics law enforcement and crop eradication.

Thank you.

U.S. Department
of Transportation
United States
Coast Guard

Commandant
United States Coast Guard

Washington, DC 20593
Staff Symbol:
Phone:

PREPARED STATEMENT

OF

REAR ADMIRAL CLYDE E. ROBBINS
CHIEF OF OPERATIONS, UNITED STATES COAST GUARD

BEFORE THE

HOUSE SELECT COMMITTEE ON
NARCOTICS ABUSE AND CONTROL

DECEMBER 8, 1987

Mr. Chairman and members of the Committee, it is a pleasure to appear before you today to address the Coast Guard's drug interdiction operations, and the enhancements provided by the Anti Drug Abuse Act of 1986. The Coast Guard has a long history of dealing with the problems of smuggling, but the unprecedented flood of narcotics into the United States caused Congress in 1986 to provide critical assistance in the form of the Anti Drug Abuse Act. The Act, in addition to providing authorizations to the Coast Guard for additional hardware to expand its interdiction efforts made important changes in the law to make prosecution of smugglers easier, and to remove some Mansfield Amendment restrictions. As you know the Omnibus Drug Supplemental Appropriations Act of 1986 subsequently provided funding to the Coast Guard for additional aircraft, patrol boats, personnel, training and equipment. Additional funding was also provided for a joint docking facility in the Bahamas.

BAHAMAS INITIATIVES

Along with the Caribbean Basin, the maritime area of the Commonwealth of the Bahamas continues to receive the highest priorities for Coast Guard drug interdiction operations. The Omnibus Drug Supplemental set aside $5 million for the joint U.S./Bahamian Forces docking facility for survey and design, and for equipment. In the Bahamas, Coral Harbor, New Providence Island has been selected for the boat repair facility and much of the heavy equipment such as the marine travelift has been purchased. A Memorandum of Understanding (MOU) with the Bahamian Government is nearing completion for the facility which will be used by both Bahamian and Coast Guard vessels. The Government of the Commonwealth of the Bahamas has approved an MOU and small differences in the provisions of the MOU are being examined by the Coast Guard and Department of

State. Our drug interdiction efforts in the Bahamas include participation in Operations Bahamas, Turks and Caicos (OPBAT). The Coast Guard operated helicopter site at Nassau is in operation and performing in an outstanding manner. A second 24 hour a day response site will be operational by 1 October 1988. We have augmented the Drug Enforcement Administration Operations Center (DEA OPCENTER) in Nassau to provide 24 hour a day coordination to all agencies participating in OPBAT. Coast Guard support to the DEA OPCENTER has greatly improved OPBAT communications and operations. The recent case of 16 November where a CG HH3 helicopter flew the Royal Bahamian Defense Force (RBDF)/DEA strike force to Chub Cay during a drug offload and seized 527 kilos of cocaine, and made Eight arrests after a handoff from a Customs tracker aircraft shows the level of cooperation that has been achieved and the resulting success.

MANSFIELD AMENDMENT

Modifications to the Mansfield Amendment (Section 2009 of the Anti Drug Abuse Act of 1986) have allowed the Coast Guard to develop closer cooperation with several countries of the Caribbean region and to react to drug smuggling operations in the territorial waters of these countries. By eliminating Mansfield restrictions in a consenting coastal nation's territorial seas, Coast Guard units have been able to more effectively use shipriders to enforce both U.S. and coastal nation's law as appropriate. We have also been able to respond to requests for technical assistance without running afoul of Mansfield restrictions.

LAW ENFORCEMENT DETACHMENTS (LEDET)

Approximately 300 Coast Guard personnel are assigned to law enforcement detachments which serve aboard Navy vessels. This was codified by the Anti-Drug Abuse Act of 1986 in Title 10 USC Section 379. Smugglers must now contend with Navy as well as Coast Guard units. This team effort resultedin the seizure of 15 vessels, the arrest of 87 smugglers and the interdiction of 182,891 pounds of marijuana and 539 pounds of cocaine in FY-87.

ENHANCED COMMUNICATIONS

Communications security is critical to protect planning and execution of Coast Guard drug enforcement operations. The Omnibus Drug Supplemental Appropriations Act appropriated $11M for enhanced secure communications. Of the $11M, $5M was obligated in May of 1987 for the procurement of secure VHF-FM equipment. Delivery is expected to begin in February 1988. The remaining $6M is divided into $3.5M for Tactical C3 (command, control, and communications), $1.5M for aircraft secure communications, $.5M for satellite communications and $.5M for high frequency (HF) communication upgrades. These improved communications capabilities will enable us to operate more effectively by improving real time coordination of cutters, aircraft, and personnel.

AIR INTERDICTION

Funds authorized by the Omnibus Drug Supplemental Act of 1986 have provided the Coast Guard increased assets for air surveillance in the maritime region. Of the $39M added to the Operating Expenses appropriated $8.6M was used to operate two E-2C's, transferred from the Navy. To be most effective, all air interdiction assets must be controlled from a regional command center that will maintain the "big picture" in the fast moving air environment. To do this the Coast Guard has been working closely with the Customs Service to build a C3I system that would meet the needs of both agencies along with the needs of the other agencies attacking the drug problem. Agreement was reached with Customs on 16 March for the Southeast C3I center, and groundbreaking occurred on October 20th. Our personnel are training and deploying to remote C3I sites to keep up their skills until the planned opening in late spring of 1988. Additionally, eight HU-25's are being converted to fully sensored air interceptors using DOD funding. They are presently being used for intercepts under visual conditions. Two HU-25 interceptors are scheduled to be completed by April 1988, with one per month completed thereafter.

SURVEILLANCE CAPABILITIES

Thirty-eight million dollars of the $89M AC&I funding in the Omnibus Drug Supplemental Appropriation of 1986 is being used to procure two C-130 aircraft. We expect delivery of the two aircraft in summer of 1988.

Another $35M was transferred to the Navy on 10 February as part of an existing Navy contract for procurement of five new patrol boats. The remaining $5M is being used for the joint docking facility in the Bahamas. The $39M Operating and Expense drug supplemental funding was used for training the crews of the 5 new patrol boats and aircraft, purchasing new equipment including night vision devices, surveillance cameras, and aircraft life support systems, and operating the resources.

RESULTS

We are continuing to seek innovative ways to stop the flow of narcotics into the United States, and we are proud of our achievements. In FY87 in both air and maritime enforcement, the Coast Guard: seized 136 vessels; made 568 arrests; and interdicted nearly 1.3 million pounds of marijuana, over 12,900 pounds of cocaine, and 14 gallons of hashish oil. The Coast Guard assisted other law enforcement agencies in 6 additional seizures, the interdiction of over 1,600 pounds of cocaine and 11,000 pounds of marijuana. Our drug interdiction operations in the Caribbean basin continue to expand with the invaluable assistance of the Department of Defense, Customs, DEA, the State Department, and the new resources authorized for the Coast Guard by the Anti-Drug Abuse Act of 1986.

In summary, we have used the resources authorized by the Anti Drug Abuse Act as directed, and continue to use close working relationships with Customs, DEA, the State Department, and the Department of Defense to build an effective interdiction system. These additional resources have been critical to the Coasts Guard's increased operations in the Bahamas and Caribbean.

This concludes my prepared statement, and I will be happy to answer questions.

STATEMENT OF LIEUTENANT GENERAL STEPHEN G. OLMSTEAD, USMC

DEPUTY ASSISTANT SECRETARY OF DEFENSE FOR

DRUG POLICY AND ENFORCEMENT/

DIRECTOR, DOD TASK FORCE ON DRUG ENFORCEMENT

DEPARTMENT OF DEFENSE

BEFORE THE HOUSE SELECT COMMITTEE

ON NARCOTICS ABUSE AND CONTROL

DECEMBER 8, 1987

FOR OFFICIAL USE ONLY UNTIL
RELEASED BY THE COMMITTEE

Olmstead

It is a pleasure to appear before your Committee again, Mr. Chairman, to discuss the role of the Department of Defense in our nation's efforts to eliminate drug abuse from our society.

The Department of Defense defines this role in different ways. First, the Department believes it must eliminate drugs from within its own ranks--both military and civilian. We are doing this through our drug testing and education programs. We also believe that we must end drug abuse in our DoD schools. We are doing this through our anti-drug abuse curricula and DARE programs. And finally, we believe we have a role in providing assistance to the civilian law enforcement agencies to interdict and eradicate drugs at their source. We have accomplished this mission by providing training, hardware, facilities, planning support, and expert personnel and advice. In this regard, we do not believe the laws governing the role of the Department should be changed.

The Department of Defense can best assist in the war on drugs by providing support such as that mandated by the Congress in the Anti-Drug Abuse Act of 1986. I am happy to report today that the Department of Defense is in compliance with the Act.

Specifically, in response to the concerns expressed in your November 5, 1987, letter to the Secretary of Defense, the loan of four E-2C aircraft (two to Customs and two to Coast Guard) was completed on February 7, 1987. DoD continues to provide logistical support for these aircraft and has given them high priority for repair of the recently discovered wing fatigue problem which affects the entire E-2C fleet.

We also have moved forward with the aerostat program. The Customs Service now owns and operates aerostats at Grand Bahama Island and Fort Huachuca, AZ. The Air Force continues to operate aerostats at Patrick AFB and Cudjoe Key, Florida. An additional five aerostats are funded and scheduled for full operational status within the next year.

Further, the Act directed the loan of four additional UH-60 Blackhawk helicopters to the Customs Service. This has been accomplished, bringing the total number of UH-60 aircraft on loan to Customs to twelve.

Regarding the requirement for DoD to prepare and implement a detailed plan to lend equipment to and assist law enforcement agencies, the Secretary of Defense forwarded such a plan to the Congress on February 18, 1987. Subsequently, the Office of the Vice President, National Narcotics Border Interdiction System, NNBIS, on behalf of the National Drug Policy Board, hosted a conference to determine the appropriate distribution of DoD assets described in the report. All interested agencies participated and DoD entered into memoranda of agreement with the Drug Enforcement Administration and the Coast Guard. In its review, the General Accounting Office found DoD to be in compliance with the law. Additionally, to maximize the effectiveness of available DoD resources, NNBIS conducts a quarterly scheduling conference where DoD personnel and law enforcement agency personnel meet and determine what DoD support is requested for the following quarter's law enforcement operations.

The Coast Guard/Navy TACLET program has been very successful and effective. In fact, the number of Navy ship days with TACLETS embarked has steadily increased from 311 ship days in FY 1985 to 2,502 ship days in FY 1987.

This concludes my testimony. I am prepared to answer any questions you may have.

Statement of

William J. Lennox, Jr.
Special Assistant to the Secretary
U.S. Department of Education

Before the

House Select Committee on
Narcotics Abuse and Control

December 8, 1987

Opening Statement

House Select Committee on
Narcotics Abuse and Control

Mr. Chairman and members of the Committee, I am pleased to be here today to testify on the Department of Education's efforts to help eliminate drugs from our nation's schools.

Since the passage of the Drug-Free Schools and Communities Act last year, the Department of Education has worked hard to implement the programs authorized in the law in a careful, but expeditious manner. Secretary Bennett assigned the task of implementing the programs to the appropriate Departmental offices, so that contacts with States, organizations and relevant individuals that had been established and developed over the years could be used to benefit States and districts in establishing their prevention programs. He then formed an oversight committee consisting of representatives from each of these offices. Finally, he appointed an individual on his immediate staff to oversee the implementation of the Act throughout the Department.

Early in the process, we made our plans and timelines available to you and your staff, and we have spoken with the committee staff regularly as we proceeded with the implementation. Overall, we accomplished our implementation objectives and timelines. Three months after the passage of the law, we began receiving applications for State funds. In four months, we were funding them. By Spring, we had solicited applications for three new grant programs and had published proposed regulations or guidance to implement the programs. During this time, the Department also commissioned a study of its regional centers, which provided insights into improving the performance of those centers. As a result, five months after the Act was signed, the Department of Education published proposed regulations for a new and enhanced regional centers program.

In other programs, new contacts were established: for the Program for Hawaiian Natives we contacted people from the Office of the Governor of Hawaii; for the Indian youth program, staff worked closely with the Bureau of Indian Affairs, so that our program would complement BIA's ongoing efforts; and for the audio-visual program, we spoke with school administrators, teachers, curriculum developers, network personnel and movie producers. These efforts paid dividends by avoiding duplication of effort and ensuring that the final program would be useful to the intended beneficiaries.

The results of these efforts are evident. After one year, all programs are operating, and $197 million of the $203 million that the Congress had targeted for prevention was obligated. We expect that the remainder of the funds will be expended by the close of the calendar year. We are very proud of the Department's performance.

Not only were funds made available quickly, but the Department also provided guidance and information to the American public to assist them in establishing effective prevention programs. What Works: Schools Without Drugs was published in September, 1986. The handbook outlines how schools, with the help of parents and communities, can prevent student drug use. Also, two months after passage of the law, the Department distributed guidance to governors and State educational agencies on the State and local funds. A month later, the Department held a conference for representatives of the governors and State educational agencies to explain in detail the law and its implications. We are now planning for a second conference with State representatives next spring to assess progress.

Three months after the passage of the law, the Secretary challenged all schools to develop comprehensive programs and to join the Challenge campaign, a campaign that mobilizes parent and community support for school programs. Five months after passage of the law, the Department mailed the first of its bimonthly newsletters to every elementary and secondary school throughout the country, giving superintendents and principals information on model schools, summaries of recent research, and other resources and techniques for helping in the war against drug abuse. Our January, 1988 newsletter will be the fifth in this series.

Realizing that there are problems with current prevention curricula, the Department did several things. First, we reviewed the latest research on prevention techniques. The results of the research review were included in a mandated report to Congress delivered October 27th. This report will also be sent to all Chief State School Officers. Then we formed an advisory board to recommend criteria that school officials can use in choosing a curriculum and to recommend methods for incorporating curricula into broader prevention programs. The recommendations of the advisory board will be published next summer.

We are also working with institutions of higher education. Last September, a panel of college presidents, vice presidents and administrators met to establish standards for alcohol and drug prevention for colleges and universities. This month, college presidents will review the standards and make recommendations. These will then become the standards for a network of committed colleges across the country.

The Department is also working to identify and publicize model prevention programs. We are currently reviewing materials sent by schools to the Department and are selecting exemplary programs for dissemination. We have also established a School Recognition Program to identify, by May 1988, 50 to 100 outstanding programs throughout the country. Effective programs are published in our newsletter, and the names of the model schools will be circulated among our regional centers so that superintendents and principals around the country can benefit from the experiences of these schools.

We are also currently meeting with the Department of Health and Human Services' staff to continue the evaluation of our drug prevention efforts. In particular, we will look at the State and local funds under the State grant program, including the governors' money for high-risk youth and community coordination. This joint evaluation effort should produce insights into what the States consider high priority programs and may provide us with some State models for publication.

As we implemented these programs, we worked with many agencies. Prior to the passage of the law, Department representatives served on the Domestic Policy Council's Working Group on Drug Abuse Policy, and after passage, we worked particularly closely with the Department of Health and Human

Services. Beginning last December, meetings between the two agencies were held monthly, with staffs discussing critical issues that had an impact on the implementation of our programs. Early, six committees were formed to examine issues relating to curricula, teacher training, research, elementary and secondary schools, colleges and universities, and the National Clearinghouse.

These meetings were carried on until March when the National Drug Policy Board was formed. Since that time, the Department of Education has been designated by the Board as the lead agency for Prevention Education. As lead agency, we have worked with 15 other agencies to establish a strategy to assist parents, schools, and communities in their prevention efforts. Our coordination efforts with HHS are detailed in a second mandated report to Congress, dated October 27, 1987.

As we look to the future, the Department will continue its efforts and leadership in preventing drug use among the young. This is a problem that can only be solved at the local level by concerned and committed adults sending the same message, by word and example, to the young: drug use is wrong and harmful, and it will not be tolerated. The Department of Education will continue to provide information; to assist through coordination; and to encourage ongoing, determined efforts.

Thank you. I would be happy to answer any questions you might have.

STATEMENT

OF

FLOYD I. CLARKE

ASSISTANT DIRECTOR

FEDERAL BUREAU OF INVESTIGATION

SUBMITTED TO

THE HOUSE SELECT COMMITTEE ON NARCOTICS ABUSE AND CONTROL

DECEMBER 8, 1987

Mr. Chairman,

I am pleased that your Select Committee has commenced hearings to review the implementation of the Anti-Drug Abuse Act of 1986 and the status of the nation's war on drugs. The Attorney General identified drug trafficking as the most critical crime problem in the United States. The FBI's role in drug law enforcement evolved from a very limited involvement prior to 1982 to a significant commitment of investigative resources focused on the highest levels of the major drug trafficking organizations which pose the greatest threat.

Coordination of efforts between the FBI and DEA is of paramount importance. In March 1982, an Implementation Directive was signed by the Director of the FBI and the Administrator of DEA. This Directive set forth the roles of each agency and the supervisory responsibility of the Director of the FBI over the Administrator of DEA.

On May 7, 1986, the FBI implemented its National Drug Strategy (NDS) as the nucleus of our Drug Program, clearly defining the Bureau's role in drug law enforcement. The NDS established five objectives focusing investigative resources on those groups controlling significant segments of illegal drug markets in the United States. The FBI, in conjunction with other Federal, state and local law enforcement agencies, endeavors to reduce the incidence of drug trafficking and other activities which drug trafficking generates, through investigations designed to dismantle the organizations involved in the importation and distribution of illegal drugs.

Our drug investigations are being conducted on a long-term, sustained basis using electronic surveillance coverage and sophisticated undercover investigative techniques to combat multimillion-dollar drug trafficking organizations. FBI investigative efforts are directed on the following groups which are largely responsible for supplying illegal drug markets in the United States.

- Colombian/South American Traffickers
- Mexican Networks
- Italian Traffickers
- Major Oriental Organized Crime Groups
- Major National Outlaw Motorcycle Gangs
- Major Regional Drug Trafficking Organizations

The FBI currently has over 1,000 Special Agents assigned to investigate drug matters throughout the United States. Consistent with our NDS, the FBI has assigned the majority of those Special Agents to field offices having responsibility in geographic areas in which trafficking in cocaine and heroin is most evident. This concentration of manpower is necessary to properly address the number of large and sophisticated drug trafficking groups using these cities as centers for their illicit activities.

The FBI's NDS has produced a dramatic overall increase in the quality of drug investigations. Significant results have been achieved by conducting sustained, multijurisdictional conspiracy network investigations in areas where drug trafficking networks are concentrated. The FBI is proud of the quality of our accomplishments as measured in terms of the number of indictments and convictions of key operatives and the seizure of significant assets of major drug trafficking organizations.

The FBI's drug enforcement efforts have been significantly enhanced by legislative action in the Anti-Drug Abuse Act of 1986. Specifically, the Money Laundering Control Act of 1986 has been used effectively in two recent investigations.

During the CASHWEB/EXPRESSWAY investigation, FBI undercover agents laundered approximately $175 million and identified an additional $300 million in Colombian drug proceeds. This investigation has resulted in Federal, state, and local indictments of 114 conspirators for drug and/or money laundering violations; the seizure of 2,100 pounds of cocaine, 22,000 pounds of marijuana, $22.2 million in cash, 57 automobiles, and 3 residences. Many of these individuals have already entered guilty pleas after being indicted for violating the new Money Laundering Statute.

In another recent case, six individuals were indicted on November 17, 1987, by a Federal Grand Jury at Reno, Nevada, on two counts each of, "Laundering of Monetary Instruments," Title 18, United States Code, Section 1956. The individuals were arrested after delivering $7.6 million in cash to an undercover FBI agent posing as a representative for a casino. The undercover agent was to launder the funds through his casino and then on to accounts in Hong Kong, Luxembourg and Austria. Prosecution of this case is pending.

Mr. Chairman, if I may, I would like to address some of the issues raised in your letter of November 4, 1987, to the Attorney General, Edwin Meese, III. I have taken the liberty of captioning these issues in bold print for continuity.

THE IMPACT OF CURRENT FEDERAL ENFORCEMENT EFFORTS ON STREET SUPPLIERS

The impact of the FBI's drug enforcement efforts on the street supply of drugs is most meaningful when related to our total numbers of drug convictions. In 1984, the FBI convicted 1570 high-level drug traffickers. In 1987, our convictions for felony drug violations rose to over 2,800 and have shown a steady progression over the intervening years. The FBI will continue to direct its resources at dismantling the highest-level trafficking organizations.

In order to increase our effectiveness, the FBI and DEA have expanded our system of joint investigative teams in six large drug distribution cities in the United States: Chicago, Houston, Los Angeles, Miami, New York and San Diego. Those field offices will jointly focus the combined investigative efforts of the most experienced FBI and DEA Agents on the highest level trafficking organizations controlling the principal share of the illegal drug market. The FBI continues to measure its effectiveness in drug investigations by the level of organization penetration as well as by the quality and quantity of individuals arrested and convicted.

As a commodity, drugs cannot reach the street level without an elaborate importation, distribution and dealership organizational structure. The arrest of an individual importer, for example, merely removes an easily replaceable component of the drug trafficking machine. Even when that individual importer is arrested in possession of a sizable quantity of drugs, the relatively low-level of the trafficker and relatively insignificant cost of drug production minimizes the overall impact on the eventual street availability of the drug.

Historically, the most successful drug investigations conducted by any individual drug enforcement agency have only a temporary effect on the street level supply and price of the specific target drug. The FBI seized nearly 150 kilos of heroin in 1986; yet the retail price of uncut heroin, according to the National Narcotics Intelligence Consumers Committee (NNICC) report of June 1987, actually decreased by $18,000 per kilo from 1985 to 1986. DEA has seized over 70,000 pounds of cocaine during fiscal year 1987; a substantial increase over 1986 seizures, yet the estimated retail prices of cocaine continued to decline. Clearly, the production countries are awash in drug profits being reinvested in drug production. Even the substantial strides made by federal law enforcement cannot keep pace with the nearly 30 percent cultivation and production increases estimated by the NNIC from 1985 to 1986.

The law of supply and demand operates in any commodity market, and the illegal drug market is no exception. The equation requires an equivalent effort from the demand side to be properly balanced. As part of the FBI's National Drug Strategy (NDS), the FBI takes every opportunity to use their drug law enforcement credibility in public appearances and other forums to educate American citizens to the dangers of drug abuse. The FBI is but one agency committed to the Federal Government's anti-drug war, and we support the NDPB's coordinated supply demand reduction strategy to eliminate drug trafficking and abuse.

FBI DRUG ASSET SEIZURE AND FORFEITURE EFFORTS

The seizure and forfeiture of illegal drug assets and proceeds is a component of the FBI's National Drug Strategy. FBI field offices are mandated to take full advantage of the existing forfeiture statutes that directly relate to drug law enforcement.

FBI jurisdiction for the seizure and forfeiture of assets in drug investigations lies in the Comprehensive Drug Abuse Prevention and Control Act of 1970 (Controlled Substance Act) as amended by the Comprehensive Crime Control Act of 1984 and the Anti-Drug Abuse Act of 1986.

The FBI's drug asset seizure and forfeiture initiative, designed to enhance the effectiveness and efficiency of the program, incorporates investigative, legal and administrative training with tasking Agent and support personnel with the identification and seizure of illegal drug profits and assets.

The equitable sharing provision of the Comprehensive Crime Control Act of 1984, bolstered by the Anti-Drug Abuse Act of 1986, has been of significant assistance to the FBI in its efforts to support state and local drug enforcement initiatives. In Fiscal Year 1987, state and local law enforcement agencies received from the FBI over $18 million in equitable sharing. This sharing is critical to the joint Federal, state and local drug law enforcement effort.

Specialized training is conducted at the FBI Academy, Quantico, Virginia and at selected locations throughout the United States.

The curriculum includes financial investigative techniques, asset identification, money laundering, use of microcomputers, legal matters and training in the administrative and logistical aspects of seizure and forfeiture. This training is afforded to Federal, state and local law enforcement personnel. The U.S. Department of Justice, Bureau of Justice Assistance, is supporting the FBI in the training of 3,000 state and local law enforcement officers in seizure and forfeiture matters.

Every FBI drug investigation includes an evaluation of the case for application of the appropriate seizure and forfeiture provisions.

Agents, Accounting Technicians and other support personnel are dedicated to the identification, seizure and forfeiture of the profits and assets associated with drug trafficking.

The FBI has developed computer software to assist its field offices in forfeiture-related data management, making the procedure more efficient.

Drug Program investigations were responsible for over $48 million in seizures during Fiscal Year 1987, an amount exceeding 45% of the FBI's Drug Program budget authority for that year.

The FBI will continue to emphasize the seizure and forfeiture of drug trafficker's assets, stripping away the profits from criminal activity.

FBI ROLE IN THE WHITE HOUSE CONFERENCE FOR A DRUG FREE AMERICA

The White House Conference for a Drug Free America (WHCDFA) was mandated by the Anti-Drug Abuse Act of 1986, and was established by Executive Order 12595 dated May 5, 1987. The WHCDFA has a broad mandate to review and critically assess all areas of the drug abuse crisis in the United States. In order to adhere to this mandate, a series of six regional meetings are currently being conducted across the United States during November and December 1987. These regional meetings are primarily intended to bring together knowledgeable individuals from the public and private sectors on state and local levels who are concerned with drug abuse prevention, education, and treatment, and the production, trafficking, and distribution of illicit drugs.

Following the six regional meetings, a national conference will be held in Washington, D.C., February 28 - March 3, 1988, which will enhance and expand upon the findings of the regional conferences and highlight new proposals for combating drug trafficking and abuse in this country. The WHCDFA will then deliver a final report to the President and the U.S. Congress during June 1988, with findings and recommendations to further the vision of an America that is drug-free.

The WHCDFA is comprised of the following 10 Committees:

- Drug-Free Workplace
- Drug-Free Education
- Drug-Free Treatment
- Drug-Free Sports
- Drug Law Enforcement
- Drug Abuse Prevention
- Drug-Free Transportation
- Drug-Free Public Housing
- International Drug Control
- Drug-Free Media and Entertainment

During September, 1987, the FBI welcomed the opportunity to provide assistance to the Drug Law Enforcement Committee (DLEC) and participate in the series of six regional meetings of the White House Conference for a Drug Free America.

The DLEC is chaired by former FBI, Associate Director Lee Colwell. FBI Academy Supervisory personnel were selected to perform the following roles on the DLEC:

- Staff Director
- Program Coordinator

These FBI Supervisors have been responsible for formulating, administering and implementing DLEC activities and designing specific programs and agendas. The FBI selected drug law enforcement experts from Federal, state and local levels to serve as panelists and presenters at each regional conference. In addition, FBI field offices in cities where regional conferences are being conducted, provide administrative and clerical support to the DLEC Staff.
FBI Special Agents in Charge and field office supervisory personnel participate in each regional conference.

The FBI personnel detailed to the DLEC, maintain daily liaison with FBI Headquarters (FBIHQ), Drug Section (DS) management personnel on a daily basis to coordinate requests for information as each conference is held. FBIHQ, DS personnel are attending each regional conference to lend support and assistance to the DLEC.

The DLEC Staff Director has prepared a written report for each regional conference that will be used to formulate the agenda for the DLEC at the WHCDFA National Conference in Washington, D.C., February 28 - March 3, 1988. After the National Conference, the Staff Director is also responsible for providing a final report to WHCDFA Chairman Lois Herrington on the issues and recommendations of the DLEC for inclusion in the WHCDFA overall report to the President and Congress during June, 1988.

PRISON ISSUES RELATED TO DRUG TRAFFICKING AND ABUSE

It is inappropriate for the FBI to comment on this issue. For information, the NDPB Enforcement Coordinating Group formally created the Prisons Subcommittee (PS) on January 21, 1987 with representation from DOJ, USMC, INS, Bureau of Prisons, DOD and OMB. The PS is now chaired by Deputy Associate Attorney General M. Miles Matthews and a report was produced.

THE COORDINATION AND LEADERSHIP OF THE NATION'S WAR ON DRUGS

The National Drug Policy Board (NDPB) provides an effective forum for the coordination of the Federal Government's supply and demand reduction efforts. Agency heads and senior drug law enforcement officials work together on the Drug Law Enforcement Coordinating Group, developing and coordinating strategies to implement the nation's drug policy.

FBI Director William S. Sessions is an Agency Representative on the Coordinating Group. FBI Assistant Director, Floyd I. Clarke, Criminal Investigative Division is Vice-Chair of the Investigations and Intelligence Committees. The FBI, in conjunction with the other agencies, performed an integral role in the formulation of NDPB strategies.

Despite our accomplishments, drug trafficking in this country continues to be a significant problem. The challenge is clear. The FBI remains encouraged and confident that by concentrating our resources in furtherance of our NDS, we will continue to achieve our long-term mission of reducing the incidence of illegal drug trafficking and resulting criminal activity it generates in American society.

FOR RELEASE ON
TUESDAY, DECEMBER 8, 1987
10:00 A.M.

STATEMENT OF

MELISSA J. ALLEN
DEPUTY ASSISTANT SECRETARY FOR ADMINISTRATION
DEPARTMENT OF TRANSPORTATION

BEFORE THE HOUSE OF REPRESENTATIVES
SELECT COMMITTEE ON NARCOTICS ABUSE AND CONTROL

MR. CHAIRMAN AND MEMBERS OF THE COMMITTEE, I APPRECIATE THE OPPORTUNITY TO SUBMIT TESTIMONY ON THE STEPS THAT THE DEPARTMENT OF TRANSPORTATION HAS TAKEN TO ENSURE A DRUG-FREE TRANSPORTATION SYSTEM FOR THE NATION'S TRAVELING PUBLIC AND TO COMBAT THE FLOW OF DRUGS TO THE AMERICAN PEOPLE.

LAST FALL, CONGRESS AND THE PRESIDENT JOINED TOGETHER IN A CALL FOR A DRUG-FREE AMERICA. THIS COMMITTEE PLAYED AN IMPORTANT ROLE IN THE EFFORT. WE APPRECIATE YOUR INTEREST AND SUPPORT FOR OUR DEPARTMENT'S DRUG INITIATIVES.

THE DEPARTMENT OF TRANSPORTATION HAS MANY ROLES IN COMBATTING THE PROBLEMS OF DRUG TRAFFICKING AND ABUSE. AMONG THE CIVILIAN AGENCIES, THE DEPARTMENT IS A LEADER IN IMPLEMENTING THE PRESIDENT'S DRUG-FREE FEDERAL WORKPLACE EXECUTIVE ORDER. THE ANTI-DRUG ABUSE ACT OF 1986 ASSIGNED DOT RESPONSIBILITIES TO HELP PROMOTE A DRUG-FREE TRANSPORTATION SYSTEM. WE ARE ALSO ON

THE FRONT LINE OF THE NATION'S EFFORTS TO INTERDICT THE FLOW OF DRUGS INTO THIS COUNTRY. THE COAST GUARD, A MAJOR COMPONENT OF THE DEPARTMENT OF TRANSPORTATION, PLAYS AN IMPORTANT PART IN THE INTERDICTION EFFORT. IT HAS BEEN ASSIGNED THE PRIMARY ROLE OF PATROLLING THE NATION'S WATERWAYS AS PART OF A COMBINED FEDERAL EFFORT TO PREVENT DRUGS FROM ENTERING THE COUNTRY. I KNOW THE COMMITTEE IS PARTICULARLY INTERESTED IN THESE ACTIVITIES. ADMIRAL ROBBINS, WHO LEADS THE COAST GUARD DRUG INTERDICTION PROGRAM, WILL SPEAK OF THE ACCOMPLISHMENTS AND PROBLEMS INHERENT IN THIS DIFFICULT MISSION.

I WOULD LIKE TO PROVIDE THE COMMITTEE WITH AN OVERVIEW OF THE DEPARTMENT OF TRANSPORTATION'S CAMPAIGN TO COMBAT DRUG ABUSE IN THE NATION'S TRANSPORTATION SYSTEM AND ITS ACTIONS TO FULFILL THE INTENT OF THE ANTI-DRUG ABUSE ACT OF 1986.

WHEN WE BOARD AN AIRPLANE, TRAIN, OR BUS, OR DRIVE OUR CARS ON THE HIGHWAY, WE LITERALLY PUT OUR LIVES IN THE HANDS OF OTHERS. THE EFFECTIVE OPERATION OF ANY TRANSPORTATION SYSTEM, THEREFORE, ULTIMATELY DEPENDS ON A FOUNDATION OF MUTUAL TRUST AND CONFIDENCE IN THE VIGILANCE AND RESPONSIBILITY OF OTHER PEOPLE. THE ABUSE OF DRUGS AND ALCOHOL BY TRANSPORTATION WORKERS IN SAFETY-SENSITIVE FUNCTIONS IS A LIFE-THREATENING VIOLATION OF THAT TRUST. THE PUBLIC HAS EVERY RIGHT TO EXPECT A DRUG-FREE TRANSPORTATION SYSTEM AND THOSE OF US WHO SERVE THE PUBLIC HAVE A DUTY TO SEE THAT THEIR EXPECTATIONS ARE MET.

DRUG ABUSE CARRIES WELL KNOWN PERSONAL AND ECONOMIC SIDE EFFECTS THAT POSE DANGERS TO THE USER AS WELL AS TO OTHERS. THIS UNDERSTANDING OF THE PERVASIVE NATURE AND SCOPE OF THE DRUG PROBLEM IS AN IMPORTANT FACTOR IN SECRETARY BURNLEY'S AND FORMER SECRETARY DOLE'S LEADERSHIP AND INVOLVEMENT IN THIS ISSUE. THE DEPARTMENT'S PUSH TO ENSURE A DEPARTMENT-WIDE DRUG PROGRAM THAT CONTINUES TO IMPLEMENT THE EXECUTIVE ORDER ON A DRUG-FREE FEDERAL WORKPLACE IS BASED ON SEVERAL PREMISES:

FIRST -- IT MUST BE COMPREHENSIVE -- BY THIS I MEAN IT MUST PROVIDE FOR EDUCATIONAL OPPORTUNITIES, COUNSELING AND REHABILITATION FOR EMPLOYEES WHO HAVE BEEN DETERMINED TO BE FIRST TIME DRUG USERS.

SECOND -- RANDOM DRUG TESTING IS AN INTEGRAL COMPONENT OF THE PROGRAM BECAUSE IT SERVES AS THE BEST DETERRENT TO DRUG USE -- BUT SUCH TESTING APPLIES ONLY FOR SAFETY AND SECURITY-SENSITIVE EMPLOYEES.

THIRD -- DEPARTMENT-WIDE CONSISTENCY AND EQUITY IS ALL IMPORTANT TO OUR PROGRAM. THIS MEANS THAT ALL EMPLOYEES WITH SIMILAR DUTIES ARE SUBJECT TO THE SAME REVIEW AND TESTING WHETHER EMPLOYED BY THE FEDERAL AVIATION ADMINISTRATION, THE COAST GUARD, THE FEDERAL HIGHWAY ADMINISTRATION OR THE OFFICE OF THE SECRETARY.

DURING THE WEEK OF SEPTEMBER 9TH, THE DEPARTMENT'S DRUG TESTING PROGRAM BEGAN. TO DATE, WE HAVE TESTED A LIMITED NUMBER OF EMPLOYEES IN SAFETY AND SECURITY-SENSITIVE POSITIONS ON A RANDOM BASIS.

ON SEPTEMBER 30TH, THE DEPARTMENT'S AUTHORITY TO TEST ITS EMPLOYEES WAS UPHELD BY THE U.S. DISTRICT COURT FOR THE DISTRICT OF COLUMBIA WHEN JUDGE GERHARD A. GESELL REFUSED AN AMERICAN FEDERATION OF GOVERNMENT EMPLOYEES REQUEST FOR A PRELIMINARY INJUNCTION. IN ADDITION, JUDGE GESELL GRANTED THE GOVERNMENT'S REQUEST FOR SUMMARY JUDGMENT. IN THE FACE OF POTENTIAL LEGAL CHALLENGES IN THE FUTURE, WE BELIEVE THAT THE DEPARTMENT'S PROGRAM WILL ULTIMATELY BE UPHELD.

WE PLAN TO CONTINUE WITH OUR RANDOM DRUG TESTING -- EXPANDING THE COVERAGE SO THAT AT LEAST 50 PERCENT OF THE TARGET POPULATION IS TESTED EVERY YEAR. WE BELIEVE THE DEPARTMENT'S PROGRAM IS FAIR AND BALANCES EMPLOYEE RIGHTS AND PRIVACY WITH THE RIGHTS OF THE NATION'S CITIZENS TO EXPECT A SAFE AND DRUG-FREE TRANSPOR-TATION SYSTEM.

OUR CONCERNS FOR A DRUG-FREE TRANSPORTATION SYSTEM EXTEND TO THE PRIVATE SECTOR. THE DEPARTMENT IS DEVELOPING NOTICES OF PROPOSED RULEMAKING FOR THE CONTROL OF DRUG USE, INCLUDING RANDOM TESTING, FOR THE INDUSTRIES UNDER OUR PURVIEW. WE ARE CAREFULLY BALANCING THE IMPORTANT RIGHTS OF THE INDIVIDUAL WITH A PROGRAM THAT CAN ENSURE A DRUG-FREE TRANSPORTATION SYSTEM. WE HAVE BEEN WORKING WITH ALL OF THE TRANSPORTATION MODES TO DEVELOP RULES TO ELIMINATE DRUG USERS FROM THE TRANSPORTATION SYSTEM. OUR RULEMAKING EFFORT IS CROSSCUTTING IN NATURE AND WOULD COVER COMMERCIAL MOTOR VEHICLE OPERATIONS, AIR CARRIERS, TRANSIT OPERATORS, INDIVIDUALS INVOLVED IN PIPELINE AND HAZARDOUS MATERIALS TRANSPORTATION AND ADDITIONAL MEASURES FOR RAILROAD PERSONNEL.

THE DEPARTMENT'S ALCOHOL AND DRUG USE PROGRAM FOR THE RAILROAD INDUSTRY PROVIDES AN IMPORTANT EXAMPLE OF THIS KIND OF APPROACH AND THE BALANCE WE ARE SEEKING. LAST YEAR, WE IMPLEMENTED A FEDERAL RULE, THE FIRST IN AMERICAN RAILROAD HISTORY, PROHIBITING THE ON-DUTY USE OR POSSESSION OF DRUGS AND ALCOHOL; REQUIRING POST-ACCIDENT TESTING FOR DRUGS AND ALCOHOL AND PRE-EMPLOYMENT DRUG TESTING; AUTHORIZING THE TESTING OF EMPLOYEES FOR REASONABLE CAUSE AND REQUIRING RAIL EMPLOYERS TO AFFORD AN OPPORTUNITY FOR REHABILITATION TO EMPLOYEES WHO STEP FORWARD AND ASK FOR HELP OR ARE REFERRED BY CO-WORKERS. THE DEPARTMENT IS SEEKING ADDITIONAL AUTHORITY TO IMPOSE STATUTORY SANCTIONS ON AN INDIVIDUAL WHO HAS VIOLATED FEDERAL SAFETY RULES AS PART OF THE RAIL SAFETY AUTHORIZATION ACT.

UNDER THE AUSPICES OF TITLE XII OF THE ANTI-DRUG ABUSE ACT OF 1986 ("THE COMMERCIAL MOTOR VEHICLE SAFETY ACT OF 1986"), THE

DEPARTMENT HAS MOVED SWIFTLY TO IMPLEMENT THE SINGLE DRIVERS LICENSE REQUIREMENT FOR COMMERCIAL MOTOR VEHICLE DRIVERS. THE RULE WENT INTO EFFECT IN JULY OF THIS YEAR. IN ADDITION, THE FEDERAL HIGHWAY ADMINISTRATION RULE ISSUED LAST JULY ESTABLISHED REQUIREMENTS FOR COMMERCIAL MOTOR VEHICLE OPERATORS TO NOTIFY EMPLOYERS OF VIOLATIONS, SUSPENSIONS, AND PREVIOUS EMPLOYMENT. THE RULE ALSO IMPLEMENTED DISQUALIFICATION PROVISIONS OF THE 1986 ACT AND ASSOCIATED PENALTY PROVISIONS. THE FEDERAL HIGHWAY ADMINISTRATION HAS ALSO ISSUED AN ADVANCE NOTICE OF PROPOSED RULEMAKING SEEKING COMMENTS ON THE ESTABLISHMENT OF A COMMERCIAL DRIVER BLOOD-ALCOHOL CONCENTRATION (BAC) STANDARD. AS PROPOSED BY THE FEDERAL HIGHWAY ADMINISTRATION, IF A COMMERCIAL MOTOR VEHICLE OPERATOR IS TESTED WITH A BAC LEVEL HIGHER THAN THE STANDARD, HE OR SHE WILL BE PENALIZED WITH THE LOSS OF DRIVING PRIVILEGES. THE DEPARTMENT WILL BE GUIDED BY A RECENTLY COMPLETED REPORT OF THE NATIONAL RESEARCH COUNCIL AND PUBLIC COMMENTS IN PROMULGATING THIS STANDARD WHICH IS TO BECOME EFFECTIVE ON OR BEFORE OCTOBER 30, 1988, AS REQUIRED BY THE COMMERCIAL MOTOR VEHICLE SAFETY ACT OF 1986.

THE ACT ALSO REQUIRED THE NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION (NHTSA) TO CONDUCT A STUDY TO DETERMINE THE EFFECTS OF DRUG USE ON HIGHWAY SAFETY. THE DRAFT REPORT IS IN FINAL CLEARANCE WITHIN THE DEPARTMENT. THE DRAFT REPORT REVIEWS WHAT IS CURRENTLY KNOWN ABOUT THE RELATIONSHIP OF DRUG USE TO HIGHWAY

SAFETY. IT IDENTIFIES THE INFORMATION THAT IS NEEDED SO THAT A MORE DEFINITIVE UNDERSTANDING OF HIGHWAY SAFETY AND DRUG ABUSE CAN BE DEVELOPED AND REVIEWS THE MAJOR METHODOLOGICAL PROBLEMS THAT MUST BE OVERCOME BEFORE SUBSTANTIAL PROGRESS WILL BE POSSIBLE. THE DRAFT REPORT ALSO IDENTIFIES ADDITIONAL INFORMATION NEEDS AND DESCRIBES CURRENT PLANS TO OBTAIN IT.

THE PAST YEAR HAS SHOWN ALL OF US INVOLVED IN THE DEPARTMENT OF TRANSPORTATION'S DRUG PROGRAM THAT DRUG ABUSE IS A VERY COMPLEX PROBLEM AND ONE WITHOUT EASY SOLUTIONS. IN ALL, WE BELIEVE THAT OUR PROGRAM WILL GO A LONG WAY TOWARD ADDRESSING DRUG ABUSE BY TRANSPORTATION RELATED EMPLOYEES. WE HOPE IT WILL ALSO HELP THOSE INDIVIDUALS OVERCOME WHAT IS A DEVASTATING AND SELF-DESTRUCTIVE PERSONAL PROBLEM. AND, IT WILL ASSURE THE NATION'S TRAVELING PUBLIC THAT THEIR TRANSPORTATION SYSTEM IS SAFE AND DRUG-FREE -- THE TYPE OF TRANSPORTATION SYSTEM THE PUBLIC DESERVES AND SHOULD EXPECT.

THANK YOU, THIS CONCLUDES MY PREPARED REMARKS.

STATUS OF MAJOR GRANT PROGRAMS UNDER THE ANTI-DRUG ABUSE ACT OF 1986

11/4/87

Drug Law Enforcement Assistant Grants to States ($178.4 million)

The Bureau of Justice Assistance (BJA) in the Department of Justice has received applications from 52 of the 56 jurisdictions eligible for grants and has awarded 51 grants for a total of $168.4 million (Puerto Rico's application is currently pending at BJA). Approximately $10 million of the funds available for allocation for FY 1987 have not yet been awarded. Four States have yet to submit applications for funding. They are: Arkansas, Louisiana, New Mexico and West Virginia.

The first grants to State were awarded in early June 1987. Most awards were made in August and September 1987. While most States have had little time to spend their grant funds, BJA reports that a number of States have begun to make subgrants to local law enforcement agencies.

Drug law Enforcement Discretionary Grants ($44 million)

As of the end of fiscal year 1987, BJA had obligated all but $12,050 of the $44 million available for these discretionary grants. BJA funded 60 projects with these funds. Of these, 19 grants are to non-profit organizations. Some of the grants to non-profit agencies are for training and technical assistance which benefit the State and local agencies receiving such aid. Under others, various localities will receive sub-awards from the lead agency to conduct demonstration projects; for example, the Police Executive Research Forum received a grant to conduct four demonstration projects on model asset seizure and forfeiture programs.

Substance Abuse Treatment Grants to States ($170 million)

The Anti-Drug Abuse Act made available $170 million in new funding for substance abuse treatment grants to the States. All of these funds have been awarded to the States.

Of the total amount, $7 million was added to the existing Alcohol, Drug Abuse and mental Health Services (ADMS) block Grant. Most States received their share of this funding before January 1, 1987.

The remaining $163 million was provided for new, emergency substance abuse treatment grants to the States. Of this amount, 45 percent was allocated to States on the basis of population and 55 percent was allocated on the basis of need. Most States received their population-based awards before January 1, 1987, when they received their regular ADMS awards, and all States were awarded this portion by the end of April 1987. Most of the needs-based awards were approved by the end of May 1987. As of November 30, 1987, 35 States had drawn down $26.6 million representing 16.3 percent of the $163 million available.

Drug Abuse Education Grants to States ($161 million)

All of these grants have been approved. Most States received their awards in March or April 1987, but the last one was not approved until September 1987. There is little information available at this time as to how much of these funds have filtered down to the local level and what types of activities are being supported.

Grants to Institutions of Higher Education for Drug Abuse Prevention Among College Students and for Drug Abuse Training and Demonstration Projects ($15.6 million)

All of the funds for these competitive grant programs have been awarded. Grants were made in September and October 1987.

Department of Education Regional Training Centers ($8.8 million)

The Anti-Drug Abuse Act expanded funding for, and the responsibilities of, the Department's five regional drug abuse training centers. The Department conducted a new competition to select the five upgraded centers. These awards were made on Friday, October 23. Of the five, two are the same as before (New York City, Chicago). Three are new (PRIDE, Atlanta; University of Oklahoma, Norman, OK; Northwest Region Educational Lab, Portland, OR).

Drug Abuse Prevention Audio/Visuals ($5 million)

The Department of Education will announce these awards in November, 1987.

Grants to Demonstrate Effective School-based Drug Abuse Education Programs ($4.5 million)

The Department of Education established this grant program using funds from the $6.8 million made available for Federal activities under the Anti-Drug Abuse Act of 1986. The purpose of these grants is to support programs based on the principles set forth in the Department's booklet, "Schools Without Drugs."

These grants were completed in September 1987 with the award of 38 grants.

Public Law 99-570, the Anti-Drug Abuse Act of 1986

One Year Later

A. International Narcotics Control

1. Although the act significantly increased the resources of the State Department's Bureau of International Narcotics Matters to $120.4 million in FY 1987, the FY 1988 proposed level of spending for international narcotics control efforts by the Administration was $98.8 million, nearly $20 million below the level authorized by Congress in Fiscal 1987.

2. The Anti-Drug Abuse Act put renewed emphasis on the making U.S. military and economic assistance contingent on cooperation by narcotics producing and trafficking nations in narcotics control by withholding 50% of U.S. assistance unless the President certifies to Congress annually that each of those countries have taken adequate steps to control illicit narcotics activities, In March 1986, however, the President certified every drug producing and transshipment country as cooperative except Iran, Afghanistan, Syria, Laos, and Lebanon.

3. The act also granted the President the authority to deny preferential tariff treatment to uncooperative drug source nations. This sanction has not been invoked by the Administration.

4. The law earmarked $10 million for a regional narcotics control air wing for Latin America. To date, the air wing is not yet operational.

5. The Anti-Drug Abuse Act earmarked $2 million of international military education and training funds for pilot and aircraft maintenance training for narcotics control activities. The Department of Defense has not implemented this provision.

6. The Act designated $1 million for the development of a safe and effective herbicide for the aerial eradication of coca plants. While the herbicide has been identified, the manufacturer will not allow its use until the resolution of liability issues.

7. The General Accounting Office (GAO) study of international narcotics control efforts is progressing.

8. The provision in the law requiring the implementation of a data system to deny visas to known drug traffickers has slowly begun. Yet, visas have been denied to 102 known violators.

9. The act provided for the establishment of a Mexico-U.S. Intergovernmental Commission on Narcotics and Psychotropic Drug Abuse and Control. The State Department to date has refused to move forward to create this body.

10. The Anti-Drug Abuse Act required the preparation of an updated threat assessment of narcotics trafficking from Africa. Although the report was prepared and identified increased drug trafficking through Africa, no request was made by the administration to provide for increased narcotics control training for African nations as indicated by the law.

11. The Act required an information reward for the arrest or conviction of Jorge Luis Ochoa Vasquez, a major Colombian drug trafficker. The State Department has yet to offer this award.

12. The State Department has continued to withhold $1 million in narcotics assistance to Mexico due to the failing of that nation to move forward on the Camarena and Cortez investigations.

B. Interdiction

1. The Anti-Drug Abuse Act gave the Coast Guard $39 million for its operating expenses (OE) account and $89 million for the Acquisition, Construction and Improvements (ACI) account. These funds were expended as follows:

Operating Expenses
$ 3.0 M - Increased recruiting
8.6 M - Operate two E-2C Hawkeye aircraft
22.1 M - Offset fuel cost savings not realized
3.5 M - Purchase night vision devices
1.8 M - Train crews for 110' patrol boats

Acquisition, Construction & Improvements
$ 5.0 M - Bahamas dock facility
38.0 M - Purchase two C-130 long-range surveillance aircraft
35.0 M - Purchase five 110' patrol boats
11.0 M - Purchase secure communications equipment

2. The Department of Defense provided the Coast Guard with $15 million OE for Law Enforcement Detachments (LEDET's) on board Navy ships in high drug traffic seas, and furnished two E-2C radar aircraft for the Coast Guard use in the drug war. DoD also provided two E2Cs to the Customs Service. According to an agreement reached between Coast Guard and Customs on air interdiction jurisdiction, Customs will turn over to Coast Guard the two E-2Cs it received from DoD when Customs receives its modified P3s and aerostat balloons for use along the southwest border.

3. The Coast Guard has made numerous arrests and seizures since the passage of the bill including one last May which was the second largest cocaine seizure ever made by a Federal agency. The 300 LEDET's assigned have arrested 110 people and seized 20 vessels, 208,000 pounds of marijuana and 539 pounds of cocaine.

4. The Anti-Drug Abuse Act also gave substantial increases in resources to the Customs Service for its drug interdiction mission in FY 1987. These included $81 million for drug enforcement personnel, $93.9 million for expanded air interdiction efforts, and $25 million to establish command, control, communications and intelligence centers to improve coordination of interdiction operations. The Administrations FY 1988 budget proposed a 2000 position cut in Customs along with a $32 million reduction in the air interdiction program. The House Ways and Means Committee has rejected these proposal and not only restored the 2000 person cut, but included funds for 800 new positions for commercial operations to be funded out of the Customs User Fee Account. With respect to air interdiction, the committee restores the proposed program reduction for FY 1988 and the FY 1989 amount maintains the same level of service.

5. Customs seizures are up. Customs seized over 85,000 pounds of cocaine in FY 1987 - up from 52,520 in FY 1986, a 62 percent increase. FY 1987 opium seizures by Customs are up over 300 percent over FY 1986 from 321 pounds to over 1,000 pounds.

6. The U.S-Bahamas Task Force is moving forward. The Coast Guard and the Customs Service have agreed that the Coast Guard will provide the helicopters for the task force and will operate 9 helicopters in the Bahamas. Customs will transfer to the Coast Guard $8 million of the $10 million it received for this purpose in the drug bill. Work is proceeding on the Bahamas dock facility.

7. Although the interdiction mission has moved forward, increased drug production in source countries has kept pace with these efforts. Further, proposed budget reductions for the Coast Guard will have a severe impact on their interdiction efforts. The Coast Guard urgently needs additional personnel and funding to operate and maintain its new equipment.

C. Enforcement

1. Federal prosecutors and law enforcement officials around the country have reported excitement over the new legal tools to facilitate the investigation and prosecution of drug criminals and the increased criminal penalties for conviction of drug offenses. As cases move forward in the criminal justice system utilizing these new laws, we anticipate seeing the full impact of their effectiveness.

2. The White House Conference for a Drug Free America was established in the act to develop recommendations for a national strategy to combat drug abuse and drug trafficking within six months of enactment of the law. It took the President longer than that to appoint an executive director for the Conference next February in Washington, with six regional sessions to be held this year.

3. The State and Local Narcotics Control Assistance program was established in the Anti-Drug Abuse Act to provide much needed funding to State and local drug law enforcement and related criminal justice activities. To date, the Bureau of Justice Assistance in the Department of Justice has awarded 44 grants out of the 56 jurisdictions that are eligible for funding for a total of $132.4 million. Approximately $46 million of the funds available for allocation in FY 1987 have not yet been awarded; six pending applications account for one-third of this amount. Six states have yet to submit applications for funding.

One major complaint about this program has been heard from representatives of local government complaining about their lack of input into the planning and distribution of the narcotics enforcement funds within their state. Major cities are claiming that they are being denied a fair share of funds by state criminal justice agencies even though the major cities carry the larger burden of drug related crime throughout the country.

4. The Administration has not taken the following actions to improve drug enforcement activities in U.S. insular areas including:

a. $2 million for drug law enforcement assistance in American Samoa, Guam, and the Nothern Mariana Islands.

b. A Customs Service aerostat in Puerto Rico and a Coast Guard patrol boat in St. Croix.

c. Reported on efforts to control drug smuggling from U.S. insular areas into the U.S. and from drug source nations into the insular territories.

D. Demand Reduction

1. The Anti-Drug Abuse Act made available $170 million in new funding for substance abuse treatment grants to the States. All of these funds have been awarded to the states.

2. The act also provided for $161 million in drug abuse education grants to the States. Most States received their awards in March or April, 1987, but the last one was not approved until September, 1987. There is little information available at this time as to how much of these funds have filtered down to the local level and what types of activities are being supported.

3. The law provided for the Department of Education to award grants totalling $5 million for drug abuse prevention audio/visual aids. These awards will be announced in November, 1987.

4. The act provided in FY 1987, $22,5 million to the Bureau of Indian Affairs and $21.7 million to the Indian Health Service for comprehensive substance abuse treatment and prevention activities. To date, however, both agencies are making extremely slow progress in implementing the program, and much of their activities and rationale for the allocation of resources to address substance abuse is a mystery to the majority of Indian tribes.

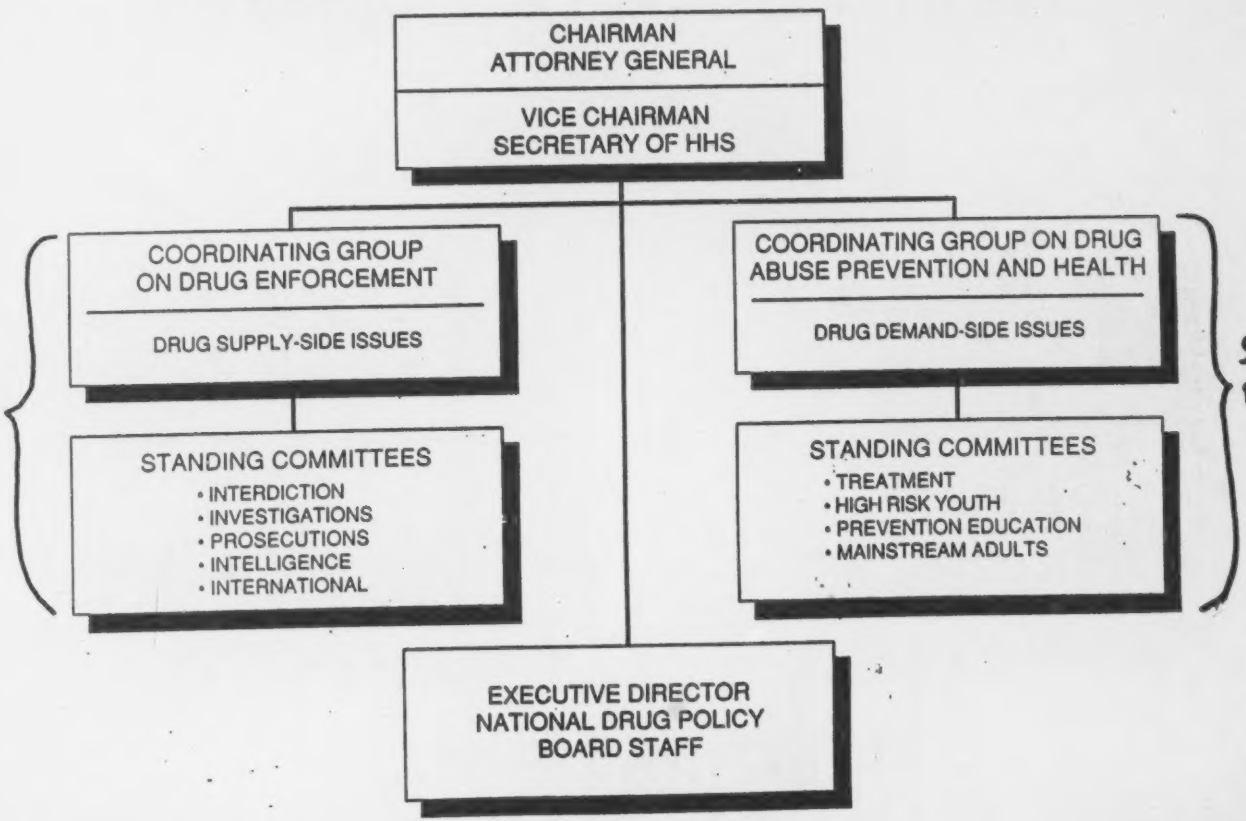
December 4, 1987

Budget Authority (Appropriations)
($ in Millions)

		1988			
	1987	Authorized in Anti-Drug Abuse Act of 1986	President's Request	House Rec.	Senate Rec.
State/Local Drug Enf. Grants*	225.0	225.0	-0-	75.0	75.0
Drug Education	200.0	250.0	100.0	200.0	250.0
ADMS Block Grant*	509.0	N/A	495.0	Defer	509.0
Emergency Substance Abuse Treatment Block Grant*	163.0	N/A	-0-	Defer	171.0
Office Of Substance Abuse Prevention*	52.6	N/A	11.3	Defer	41.3
NIDA*	152.8	N/A	156.2	Defer	206.4
State/INM	118.4	N/A	98.8	98.8	No action yet
DEA*	482.7	N/A	522.0	521.4	517.8
FBI*	1,298.3	N/A	1,484.4	1,403.1	1,440.4
Customs, Total*	1,029.5	N/A	899.9	1,059.8	1,147.3
(S&E)	(840.2)	N/A	(803.1)	(963.1)	(986.8)
(Air Interdiction)	(171.0)	N/A	(86.2)	(86.2)	(150.0)
Coast Guard, Total*	2,545.4	N/A	2,718.7	2,613.4	2,696.2
(Operating Expenses)	(1,815.9)	N/A	(1,964.8)	(1,879.4)	(1,952.7)
(A,C,I)	(298.0)	N/A	(277.9)	(260.0)	(270.6)

* Sent to Conference

NATIONAL DRUG POLICY BOARD



CHAIRMAN
ATTORNEY GENERAL

VICE CHAIRMAN
SECRETARY OF HHS

COORDINATING GROUP
ON DRUG ENFORCEMENT

DRUG SUPPLY-SIDE ISSUES

STANDING COMMITTEES
- INTERDICTION
- INVESTIGATIONS
- PROSECUTIONS
- INTELLIGENCE
- INTERNATIONAL

See P. 2

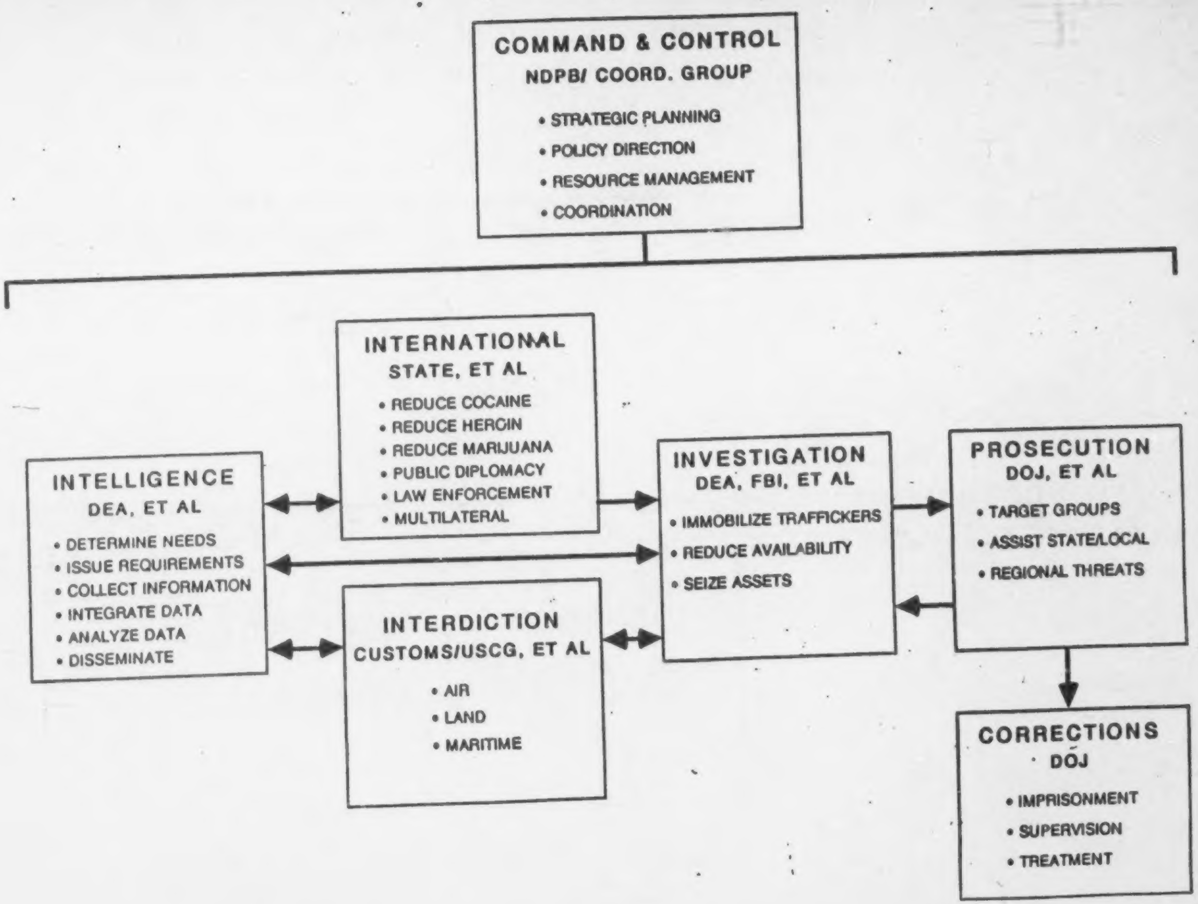
COORDINATING GROUP ON DRUG
ABUSE PREVENTION AND HEALTH

DRUG DEMAND-SIDE ISSUES

STANDING COMMITTEES
- TREATMENT
- HIGH RISK YOUTH
- PREVENTION EDUCATION
- MAINSTREAM ADULTS

See P. 3

EXECUTIVE DIRECTOR
NATIONAL DRUG POLICY
BOARD STAFF


COMMAND & CONTROL
NDPB/ COORD. GROUP
• STRATEGIC PLANNING
• POLICY DIRECTION
• RESOURCE MANAGEMENT
• COORDINATION
INTERNATIONAL
STATE, ET AL
• REDUCE COCAINE
• REDUCE HEROIN
• REDUCE MARIJUANA
• PUBLIC DIPLOMACY
• LAW ENFORCEMENT
• MULTILATERAL
INTELLIGENCE
DEA, ET AL
• DETERMINE NEEDS
• ISSUE REQUIREMENTS
• COLLECT INFORMATION
• INTEGRATE DATA
• ANALYZE DATA
• DISSEMINATE
INTERDICTION
CUSTOMS/USCG, ET AL
• AIR
• LAND
• MARITIME
INVESTIGATION
DEA, FBI, ET AL
• IMMOBILIZE TRAFFICKERS
• REDUCE AVAILABILITY
• SEIZE ASSETS
PROSECUTION
DOJ, ET AL
• TARGET GROUPS
• ASSIST STATE/LOCAL
• REGIONAL THREATS
CORRECTIONS
DOJ
• IMPRISONMENT
• SUPERVISION
• TREATMENT

DEMAND – SIDE

USER – RESPONSIBLITY MODEL

PREVENTION EDUCATION DoEd	HIGH RISK YOUTH Justice (OJJP)
MAINSTREAM ADULTS HHS (OASH)	TREATMENT NIDA

- PREVENTION PROGRAMS
- EDUCATION PROGRAMS
- RESEARCH

- REHABILITATION PROGRAMS
- TREATMENT PROGRAMS
- RESEARCH

FEDERAL ROLE

- LEADERSHIP
- ASSESSMENT AND RESEARCH
- INFORMATION AND TECHNICAL ASSISTANCE